



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 29th November 2018

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Present:

Richard J. McMahon, Q.C., Deputy Bailiff and Presiding Officer

Law Officers

Miss M. M. E. Pullum, Q.C., (H.M. Procureur)

People's Deputies

St Peter Port South

Deputies P. T. R. Ferbrache, J. Kuttelwascher, D. A. Tindall,
R. H. Tooley

St Peter Port North

Deputies J. A. B. Gollop, C. N. K. Parkinson, L. C. Queripel
M. K. Le Clerc, J. I. Mooney

St Sampson

Deputies L. S. Trott, P. R. Le Pelley, J. S. Merrett,
T. J. Stephens, C. P. Meerveld

The Vale

Deputies M. J. Fallaize, N. R. Inder,
J. C. S. F. Smithies, S. T. Hansmann Rouxel

The Castel

Deputies R. Graham L.V.O, M. B. E, C. J. Green, B. J. E. Paint,
M. H. Dorey

The West

Deputies A. H. Brouard, A. C. Dudley-Owen, E. A. Yerby,
D. de G. de Lisle, S. L. Langlois

The South-East

Deputies H. L. de Sausmarez, P. J. Roffey,
R. G. Prow, V. S. Oliver

The Clerk to the States of Deliberation

C. Foster (H.M. Deputy Greffier)

Absent at the Evocation

R. M. Titterington, Q.C. (H.M. Comptroller); Deputies B. L. Brehaut, G. A. St Pier, M. M. Lowe,
H. J. R. Soulsby (*relevé à 9.55 a.m.*); Deputy M. P. Leadbeater (*relevé à 10.48 a.m.*);
Alderney Representatives L. E. Jean and M. Dean (*absent de l'île*);
Deputies L. B. Queripel and J. P. Le Tocq (*indisposé*)

Business transacted

Evocation	2449
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Appendix to Billet d'État No. XXV – Development & Planning Authority Annual Monitoring Report 2017 – Debate continued – Proposition carried	2449
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<i>The Assembly adjourned at 1.06 p.m.</i>	2490

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States of Deliberation

The States met at 9.30 a.m.

[THE DEPUTY BAILIFF *in the Chair*]

PRAYERS

The Deputy Greffier

EVOCATION

Billet d'État XXV

DEVELOPMENT & PLANNING AUTHORITY

Appendix to Billet d'État No. XXV – Development & Planning Authority Annual Monitoring Report 2017 – Debate continued – Proposition carried

The States are asked:

Having resolved, pursuant to Rule 20 of the Rules of Procedure of the States of Deliberation and their Committees, to debate Appendix 1 to Billet d'État XXV of 2018, that is the 'Development and Planning Authority – Annual Monitoring Report 2017', to take note of the Report.

The Deputy Greffier: Billet d'État XXV of 2018. Continuation of debate on the appendix report from the Development & Planning Authority entitled Annual Monitoring Report 2017.

The Deputy Bailiff: Deputy Stephens.

5

Deputy Stephens: Thank you, sir.

The IDP Plan objectives that I want to touch on when I am speaking are objective 1, making the most effective and efficient use of land; objective 2, managing the built and natural environment; number 5, ensuring access to housing for all; and number 6, meeting infrastructure requirements.

10 Planning decisions often only become important when they impact on people personally and I think this is a truism that Members will be quite comfortable in accepting. On Friday, 23rd November last week, I attended a presentation from staff on this Report and I was very pleased to be there and I was very grateful for the help that I was given. I came away from the meeting much better informed about the relationship between the Strategic Land Use Plan and the IDP and the issues involved in making changes to either, although I was very glad there was not an exam to pass at the end of the session!

15 Changes, it seems, are possible, but there are no quick fixes. Not only is the process a relatively long one but the difficulty I anticipate would be around the question what do we want to do instead? So through my work in St Sampson's Parish I know that, although data can be quoted
20 that suggests the situation is not as pressured, in terms of density and traffic movement, as some

in the community feel, I want to say to Members, as I said to Deputy Brehaut in the meeting last week, denying or using data to demonstrate there is no issue when residents of an area feel pressured is not really the best way to change their views or deal with the matters that concern them.

25 I know through contact with people living along La Route Militaire, around Delancey and Oatlands Lane, that there are often and well-articulated concerns about the number of permissions of all kinds being processed and passed and progressed in the parish. But I also know that there are residents in all areas of the Island who are satisfied with the IDP and the Strategic Land Use Plan and seek no change.

30 So I think it is because we, as Members, have a shared responsibility on monitoring the impact of development that I really welcome the opportunity to debate this report. The question that interests me is what might be done within the parameters of the structures that we have, in the short-term, to alter or change the effects of what planning permission brings to particularly the north of the Island?

35 I am not really looking for structural changes in the planning, what I am asking is what different weightings might be given to existing policies when developments are being considered? I would like to share with Members some of the suggestions from the residents of St Sampson's Parish, in no particular order and in no particular ranking.

40 The first one is the suggestion that in deciding on applications, rather than depending on the thought that some of the existing permissions will not be actioned and the units will not be built, the assumption should be that all pipeline permissions will be actioned within the lifeline of the permission and the capacity for infrastructure to cope: roads, flood mitigation, services, communications, public transport etc. be reported on to the decision-makers to inform the decision. Maybe we establish a saturation criterion for certain areas.

45 Another suggestion is that when permissions for development are not enacted and fall away then a break-period before a re-application can be made should be instituted and re-application fees should be raised to discourage land-banking and the hold of land with permission on it where no action is taken. We really do need some homes for some people. When considering developments and the impact on traffic movement then impact should be tracked much further
50 through the road network than at present. I also add to the list the suggestion that more partition than at present is made between industry and residential development.

Then another thought is that we should apply amenity considerations to existing properties as well as the proposed properties when considering applications and demonstrate that this has been done. I think it is important that Members acknowledge that poor development equals
55 wasted land and we really do not want to waste a very precious resource. We can by default make areas unattractive to live in and really that defeats the planning process. So I am content to note this report as a record of past action and future intent but respectfully ask that the suggestions that I have mentioned are considered by those who make the decisions.

Thank you, sir.

60 **The Deputy Bailiff:** Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

65 The comments of Economic Development are there for all to read at page 224 etc. going forward and can be summarised in the words: the IDP appears to be functioning adequately. I have a personal view which I would like to add to those comments, which is, I think, the system we have in Guernsey is either too complicated or we are simply not resourcing it adequately.

70 Our planning system compared with, say, Jersey, seems to be quite a sophisticated, to put it politely, system. Jersey, as I understand it, has far fewer planning applications than Guernsey, which must mean their system requires very many fewer cases to go through the planning process. Guernsey has this all-singing, all-dancing planning system, with the IDP at the top and

the individual planning applications at the bottom. In between there are layers of local planning briefs etc. and it is there that we seem to be constantly frustrated.

75 All too often we have in mind some kind of project and we find that nothing can be done about it because we do not yet have a harbour action plan, or a local planning brief or one of the regeneration zones. When we talk to the planners about how we unbreak that deadlock, the problem we run into is a lack of resources at the Planning Department. The reality is they simply cannot staff up to produce these intermediate pieces of planning policy, without which we cannot proceed with individual planning applications.

80 When I was at STSB, we were very frustrated by the lack of a harbour action area plan, which meant that we could not put in any applications for sensible development around the harbour and we met with this fact that Environment & Infrastructure simply do not have the staff to produce it. We actually suggested in that particular case, because STSB employ all the staff around the harbour, they also employ States' Property Services, so they have got property
85 professionals, and we said, 'Why do we not draft the harbour action area plan for you? We will give it to you, you can edit it and top and tail it and do what you like with it, but we can do the donkey work and produce the main report.'

The answer to that was, 'Oh, no, it has to be done by a planning officer. Oh, and by the way, we have not got any planning officers spare.' So the result has been stasis and it is incredibly difficult
90 to take forward various projects. We have a number of projects in mind in urban regeneration zones and so on, which cannot proceed because there is no local planning brief.

As a short-term fix, I have agreed with Deputy St Pier that Economic Development will, where it is able to, fund resources to enable the DPA and the planners to actually move some of these things forward. But that is not Economic Development's role and it should not be funded out of
95 our budget. I think fundamentally the States needs to take a philosophical decision about this. If we want this all-singing, all-dancing planning system, we are going to have to resource it properly and it will cost a lot more money.

If we, on the other hand, think that perhaps we have over-cooked it and there just are too many layers of planning then we need to go back and re-look at the IDP and see whether some of
100 these intermediate layers could be stripped out. This is a decision that we cannot go on ducking because, at the moment, we are simply not able to make progress where we should be making progress because of this road block in these intermediate layers.

So this is a debate without any particular Propositions, but I do hope the States will take on board that actually there is something fundamentally wrong with the structure we have and we
105 are going to have to address the problem one way or the other. It is just not working for the benefit of Guernsey at the moment.

Thank you.

The Deputy Bailiff: Deputy Roffey.

110

Deputy Roffey: Thank you, sir.

I was going to put a motion to debate this edict, but as it has been done I will certainly have my two pennyworth, although I do take the warning I received via the internet from Deputy
115 Ferbrache that this could turn into a very long and unstructured debate, so I will try not to go on and cover every area of the IDP.

Let me preface my remarks by saying that I think to be on any planning authority is an absolutely thankless task. I say that as somebody who did his tour of duty on the IDC, way back when. You can please a few people some of the time but you seem to upset the majority of
people the majority of the time. So they do have my sympathy in that respect.

120 The other thing I would preface my remarks with is that I agree with the history that was given by Deputy Gollop and his colleagues or his officers at the presentation he gave. Where we are now is steeped in history and we did not just arrive at it. It went right back to the land use

consultants, Mr *[inaudible]* I think it was, somebody with strong Guernsey connections, who was actually the main consultant on that project.

125 I think what they came up with, which is basically not a north/south split but very much an east/west split, a corridor down our eastern seaboard which would take the majority of development is absolutely right. I am not one of those that would argue with that at all. The last thing I want is development spread all over Guernsey like butter across a bit of toast, where you can see no difference between the countryside and the urban areas.

130 In fact, it is usually regretful that, Guernsey people being careful with their money, the cheapest form of development being to take the services straight off the road which they lay under, that during the post-war period we had such dreadful ribbon development that we cannot do what we ought to have done, which was actually have nucleated settlements. I hate the term villages in the Guernsey context, but parish centres and other centres and greenfields around them.

135 Jersey have managed that far better than we have. They have messed up their town, but their countryside they have done far better than we have. I do not think we can go back to that but I do strongly support the policy of emphasising the difference between countryside and urban development.

140 As I say, it is not really north/south, it is very much east/west. St Martin's, St Peter Port South, they are both in the south of the Island and yet have taken very significant amounts of development in recent years, whereas L'Ancrese Common I hope is sacrosanct, even though I think that is in the north.

145 Deputy Gollop reminded us yesterday that all they are doing is implementing what we passed in the IDP debate last year. Of course he is absolutely right but I will be quite frank, I do not think some of us fully realised the consequences of aspects of the policies that we were passing. It is no excuse but it was a relatively new Assembly with lots of new Members, facing an absolute welter of mainly site-specific amendments, which hijacked the debate away from the real policy base that we should have been discussing.

150 I think a year or so on, or 18 months on, it is right that we look at, by their fruits you shall know them, as I think a certain book says, you have to look at what is happening as a result of the IDP that we approved and say is it perfect or should we be making any tweaks? In theory it should run for five years unadjusted and then have a mid-term revision half-way through its 10 years. But if we think that there is a flaw in it, or some problems with it, I do not think it is responsible just to sit on our hands and say, 'The Rules say we do not do anything for the next five years.'

155 I hope that this debate will at least spark-off some revision. But I have real sympathy for the DPA because, to be honest, they have already been asked to look at some policy issues by Deputy Stephens, some of which I profoundly disagree with. I think planning on the basis that all planning applications will actually be developed would be to deny history and to plan on an utterly false premise, so I am going to contradict her now. What DPA take away from this and actually put into their thought processes is difficult.

160 I think my main concern is over greenfields. I have two concerns with that. One of course is agriculture but, to be honest, the fields that I am talking about are not that important for agriculture. I do worry that I know the Planning Authority are planning on the basis that we have enough agricultural land and to spare for farming in Guernsey. I think that is wrong. I think they are planning on an utterly false premise. I think we should be preserving all agricultural land that we possibly can.

165 However, I think the sort of fields that have flagged up my concern over the last year or two, and I do not know if some of them are legacies from the previous planning regime or whether they are all as a result of the IDP, and I apologise for that, but has been more the amenity value of built-up areas that really concerns me.

170 I am thinking of fields like the one off La Grande Rue in the Vale, next to Nouvelle Maritaine. Now it has made good social purpose with autism facilities etc. but I think it is a travesty that we are losing that field. An absolutely green oasis where you used to see the cattle on it. I know my

175 mum did live on Maritaine but nevertheless she was far from alone. The residents were awfully devastated at what happened there, because it was an amenity. It was, in a fairly built up area, an open green area.

I feel very much the same way as the one that I keep seeing Deputy Fallaize on the front page of the *Press* – well, it is not the front page, he doesn't make it that far! (*Laughter*) – in the *Press* somewhere, off the Rue du Couture and Rue du Tertre. I think the loss of that would be very sad. Likewise, the one to the north of La Hure Mare, I am told there might be issues with that anyway, because of the power station, its impact, but even if it was not for that, I think the loss of that would be quite tragic.

185 It is less agriculture; it is more, really, the role of a village green in a built-up area. It is not a village green in the sense that people cannot go and do things on it, because it is in private ownership, but visually and, as far as, when you feel that you are living a cluttered area, just having a few greenfields makes a difference. It looks to me as what we passed with the IDP was if it is in the right part of the Island, then if it is a greenfield it does not matter, and if it is not an APA, then the presumption is that you can build on it. I would really like that presumption to change.

190 There is another reason why I would like that presumption to change and it is because greenfields are so darned easy to develop. It means that they would always be top of the hit list. They are low-hanging fruit, as far as developers are concerned, compared with brownfield sites. I am not just talking about Leale's Yard and my previous connection, any brownfield site, or perhaps redevelopment by the demolition of a house sometimes, those sorts of developments would always take second place to greenfield sites because greenfield sites are usually, not always, easier to develop.

I never know whether to refer to things that have been said via the internet, but I have to say when I am on my feet, I was quite alarmed that the President of the Development & Planning Authority did say that actually, we are developing some brownfield sites. Smaller vinery sites. I know they are agricultural under temporary, but they are brownfield in a sense. If we start accepting that we are on a really dangerous, slippery slope. These vineries were permitted to be developed in places where permanent development would never even have been considered, never even dreamt of, simply because they were deemed to be quasi-agricultural, or at least horticultural. They were temporary.

205 I know, as time has gone by and the old traditional red deal greenhouses got replaced with concrete bases and aluminium, it was harder to maintain that. But nevertheless that was the reason why things were allowed to be developed in places where a house would never have been permitted and I think if we remove that presumption, if we start eroding that assumption, we are on a very dangerous path indeed.

I have got two questions for Deputy Gollop when he sums up. Is there a policy way, because I do not know, he is the expert and his advisers are more expert – I see somebody shaking his head! – in which we can have the presumption that small, virgin greenfields even in the part of the Island, which is designated to take the majority of our development can be protected and the emphasis put on redevelopment of genuine brownfield sites? If there is I actually think the majority of this Assembly and the majority of the Island want us to do that.

215 I could bring a requête but I have got no expertise in planning policy and I would probably get it wrong. I would probably make the wrong suggestion to do that, so I would far prefer, if possible, that the DPA actually inform us what they think is the best way to actually achieve that. That was my main point.

220 While I am on my feet I will just ask, as well, we all had an email from an architect suggesting that the local plans, the planning frameworks or whatever they are, perhaps they should be limited simply to larger sites. Going back to really what Deputy Parkinson was saying, because resources are limited, if they were larger sites they could be done quickly and unlock them because there are not the planning officers to go around. I do not know if that is right or not, but I would be interested to know Deputy Gollop's view on that and his Committee's.

My main plea really is, I am sorry if I got it wrong 18 months ago; I am sorry if I did not put the amendment I should have done but I would really appreciate guidance on how we can protect those virgin greenfields that are playing such an important amenity role in built-up areas of Guernsey.

The Deputy Bailiff: Before I call the next speaker, Deputies Lowe, Soulsby, St Pier and Brehaut, do you all wish to be relevé? (**Deputy Soulsby:** Yes, please, sir.) We relevé all four Members.
Deputy Hansmann Rouxel.

Deputy Hansmann Rouxel: With a report like this it is quite difficult, when you are trying to see the bigger strategic direction of the SLUP and how that is translating itself via the IDP and whether we actually are meeting those principles that the SLUP has set out and not just in the spatial strategy, which is one of the more contentious elements, like Deputy Roffey pointed out. There is not a viable alternative to what that bigger spatial strategy has.

If you go back to the SLUP, sustainable – this is the word of all of these plans. Sustainable is mentioned 54 times in the SLUP. Sustainable development; sustainable design and construction; sustainable community; sustainable centres; environmentally sustainable; sustainable levels of economic growth; sustainable modes of transport; sustainable urban drainage systems; sustainable living; sustainable level of horticultural production.

When we get all of those policies translated into the IDP, it mentions it 109 times! Oh! Again it is talking about sustainable communities and neighbourhoods; sustainable settlements; safe and sustainable physical environment; sustainable solutions. We get it: sustainable! What is sustainable and are these principles being reflected in practice?

Sustainable development is the development that meets the needs of the present without compromising the ability of future generations to meet their own needs. I think a lot of the concerns that are being raised are fundamentally around are we putting in practice something that could potentially compromise the ability of future generations to meet their own needs?

Are the broad ideals of the SLUP being put into practice in the IDP? Yes, the IDP has a little SLUP certificate but the very reason for monitoring is to ensure that those very lofty principles and ideals within the SLUP are reflected in practice. I think it is very difficult to marry the cold, hard facts, the quantitative data that we see in the AMR with the qualitative experience on the ground; the feeling on the ground. But I think it is our job as Deputies, and it has to be, to try and marry those two experiences and see what the real picture is.

The feeling on the ground and indeed some of the hysteria in the media is that there are houses being dumped off the back of trucks, a traffic gridlock and, to someone living on Braye Road, for instance – no particular relevance to me – there have been a fair few developments in the area and it is beginning to feel like the gaps are being filled in by a toddler with a crayon.

But most of that happened prior to the IDP. So how is the IDP helping develop? It is hard to tell. Yes, there have been controversial developments and it certainly feels like increased traffic in the area, but what is the evidence of the IDP in this? I agree with Deputy Merrett, yesterday, that there is a feeling that it may be too late to do anything by the time the evidence emerges. But you cannot predict evidence. I sympathise with that feeling but we have to take a step back and view the whole picture.

One example of this is the greenfield/brownfield sites – as Deputy Roffey stole some of my thunder – specifically those within the main centre and the main centre outer areas. The SLUP says making the best use of land and buildings in order to meet anticipated housing demand, some greenfield land will need to be identified for housing development. However, the development plans will be expected to promote the development of pre-used brownfield sites in order to maximise the use of land and buildings in the most efficient and effective manner. This will include promoting high density development whilst ensuring good levels of accommodation, amenity and design.

So there are two levels to the greenfield sites. One is these old vinery sites, which are housing allocation sites. Those are greenfields but they are equally housing allocation sites. I know that there is controversy over this but that is the plan that we agreed. If they require draft development frameworks these little pockets of green that are within the main centre area, we feel are at risk of disappearing. Sorry, there are two. One is the housing allocation sites, which are larger greenfield sites and there are small little pockets that do not quite fit into that but are low-hanging fruit, as Deputy Roffey has pointed out.

Firstly, the issue of the housing allocation sites. We have got the draft development frameworks, which should provide the guidance to make sure that the amenity value of that site, and not just for the houses and how they are built, but for those around the site, that guidance should help create that framework. But until we see the actual planning applications and how those planning applications are dealt with, taking into account the amenity value of the surrounding area, until we see that process completed, I think it is very hard to see if the policies are holding up their end of the bargain; ensuring good levels of accommodation, amenity and design.

Those are the words of the SLUP, but in the IDP the policy GP1, 'landscape character and open land': proposals will not be supported if they would result in the unnecessary loss of open and undeveloped land, which would have an 'unacceptable impact on the open landscape character of the area'. Also, in B: 'Does not result in the unacceptable loss of any specific distinctive features that contribute to the wider landscape character and local distinctiveness of the area concerned.'

Now that is quite emotive. What is distinctive to the community? What is distinctive to the neighbours? What is distinctive to the wider landscape and character? Yes, we have some official documents created but how do we get the community to express what the distinctive features are to them and that is what the planning process is about and getting the community to express what those ideals are and then for the plans to try and marry that with the economy of the builders so that we get sustainable development.

There is also an annexe one, which gives guidance around acceptable levels of amenity, and I have yet to see how this is fully realised in practice. If there has been a recent application for housing that has been turned down and that was good to see how that part of the annexe one was implemented to show the effect that it would have on the surrounding area and the quality of the design was not up to scratch. It is good to see that happen now. Obviously that is not in the report from 2017.

It is hard to brand the IDP as a failure if we have not seen it in action, in practice. I think Deputy Parkinson's point about the resources and the many different layers; they are there for safeguarding the community interest but, yes, if we want all the bells and whistles of that we need the resources. Or we need a much stricter, clearly defined plan that does not give the flexibility that was asked for by developers.

The second part of the greenfield dilemma is those small pockets of green that we are in danger of losing. Deputy Roffey mentioned that Camp Dolent has a draft development framework that has been approved. There is quite specific guidance around maintaining the amenity value of the surrounding neighbours to the open green landscape behind the area. When it comes to the planning application of the policies to all design elements, we will have to see how those design elements hold up to those principles and that is where we see whether the IDP is holding up its end of the bargain.

When the policies are properly applied, unless we make sure the community's voice is represented in the planning decisions, we will not get that information out there and we will get substandard development or undesirable, non-sustainable development. Now the political Members of the DPA are tasked with a near-impossible balancing act but I believe that we need to help the decision-making by providing the evidence from the community and linking the policies in the IDP so that they can be applied with the interest of the community represented.

Lastly, I would like to touch on the most misunderstood term: infrastructure. There is a lot of confusion about what this actually means and in the context of the Strategic Land Use Plan,

330 infrastructure includes basic physical structures and large physical networks needed for the
functioning of a modern society. This covers transportation infrastructure, which is road networks,
sea ports, lighthouses, airports, energy infrastructure, importation, distribution of fuel, electric
power networks, water management infrastructure, drinking water supplies, sewage collection,
communications infrastructure, fixed/mobile telephone networks and solid waste management
335 plans.

But equally the Plan supports making better use of existing infrastructure, reducing demand
through measures such as reducing reliance on the motor car and through the development of
the sustainable communities and providing additional capacity by extending existing or providing
new infrastructure.

340 I think that third point is where everybody gets stuck: we must be providing additional capacity
by extending existing or providing new infrastructure. Yes. In the context of planning applications
the concerns of the community when infrastructure is raised as the spectre of doom, it is: 'The
roads, stupid!' The circulatory system that moves people around the Island. When the impact of
development is measured it is usually in cars. So what are we really talking about? At the peak
345 times, our circulatory system has some serious blockages; it is inefficient. It does not help our
economy to have this inefficient system and it will not help us grow.

If we are adding more into the system at the same rate when there are already blockages, we
are not going to make it more efficient, we are not going to let people who actually need to use
their vehicles, delivery trucks, businesses, move around the Island easily if we are blocking it up
350 further.

So if we are adding more into the system, for instance, if you have the circulatory system of
your body and you have red blood corpuscles that carry oxygen through your arteries, each of
those little cells carry four oxygen molecules. If we decided that each of those blood cells is only
going to carry one oxygen cell then you would need four times as much blood to get just as much
355 oxygen circulating around the system. Simple. That is why your body is more efficient and has
four molecules per blood cell.

There would be blockages if we did it inefficiently. That is exactly what has happened to our
system with single road car users. Right now our junctions at capacity are too high. We need to
deal with the junction capacity. Now, we can deal with junction capacity, possibly Braye Road; are
360 we going to do compulsory purchase and make a two-lane junction so that we can get more
through there? How much is that going to cost? Is that sustainable? Is that going to preclude
future development? If we build in brand new flyovers, is that going to change the character of
Guernsey? Yes, of course it would.

We are in a rock and a hard place. You cannot build that infrastructure. So when we are talking
365 about infrastructure and road infrastructure we are talking about building the most sustainable,
efficient infrastructure. What is that? That is pedestrian infrastructure; that is cycling infrastructure
and public transport infrastructure; to give people the choice. To have the choice. I do not need to
be the single occupant in my car because I can have the viable and convenient opportunity to
either walk, because it is a short journey, or cycle because I like active transport and I feel the
370 benefits of that, or catch the public transport because it is convenient.

At the moment we have not got there yet. We have not managed to make those bits viable,
but if we build for what the current system does, where there are blockages, and it is inefficient,
that is permanently there. That is not sustainable. That is not building in choice for the future.

I do not envy the DPA and their task in this. I do not believe that there is the evidence to
375 actually create the changes, but I do think we need to keep on top of the monitoring and even
though we are getting quarterly monitoring reports of the houses, the qualitative data that came
through with this big report, with the first monitoring report, I think those mechanisms we need to
see those more often so we can actually start to see how these policies are actually translating on
the ground.

380 Thank you.

The Deputy Bailiff: Deputy Inder.

Deputy Inder: Thank you, sir.

385 First of all, I am going to thank the DPA for bringing this to debate. Via email Deputy Tindall has asked us to make some suggestions. Following on from my email, which obviously inspired Deputy Roffey's speech, I am going to talk about agricultural fields when I get to it.

I have got a number of points I would like to raise and they are mainly around how we got to where we are and to at least try and bust the myth that the process was so perfect and pure that it cannot be commented upon or changed in anyway. This was certainly, up until a few weeks ago, the line coming out of the DPA: it is policy driven, it cannot be moved, it cannot be changed, we cannot have the discussion. Some weeks later we are having the discussion we possibly should have had a couple of months ago, accepting that Island Development Plans like this need to have time to bed in. But we are at the point where we need to start looking at a few things.

395 I am going to talk about some of the good points. First of all, we have had some fairly nasty emails over the internet from certainly one if not two members of the public. What I am going to say, just for public record is, I have confidence in the planning officers, certainly. (**Several Members:** Hear, hear.) My experience has been they are professional, knowledgeable, not necessarily always right, but you cannot be, we are all human. One of the difficulties officers have is effectively we are all human. The planning process is not an Excel spreadsheet where you put in a load of numbers and two and two will always equal four and out of that will pour accuracy, fact and purity. Sometimes it is 3.9, sometimes it is 4.1 and when I am adding up, sometimes it comes to orange! (*Laughter*)

400 The greatest difficulty they have is codifying what is, in effect, subjectivity. It is almost an impossible task. I like green, someone else likes blue. Who is right, who is wrong? Usually the person making the judgement. But it does not necessarily mean that person is right or wrong, we have just got different colour choices.

The presentation of last week by the same officers made – I did not fully understand how we had got to the process, it was the connection with SLUP, Guernsey Tomorrow and out of the planning inquiry came the IDP – that was useful to me. I understand that line and I certainly understand, I think it was Mr Rowles said, and it was quite stark, when he showed us a picture of Port Soif, effectively Gold Crest Estate, I think it is, it just would not be built today. We saw the black and white images, the overhead shots we had over what was left of the vinery, some of it effectively the common land. He said if that was there today that would never have got built on.

415 He explained ribbon development. He explained the rather weird nature, far too much influence by those with vineries, those with wealth and those who had connections some years ago. So it makes utter sense that we have got some kind of plan. But the process of the IDP was naturally going to be subjective because, as I said, humans are involved in this process. It cannot be solved as some kind of golden thread of perfection.

420 Guernsey Tomorrow, which I was involved in, inasmuch as I had a couple of meetings in my role in chamber at the time, was probably one of the loveliest processes I have ever been involved in. The Chamber of Commerce was involved, we had lots of people sitting around tables, there were tags going on walls.

425 As you look at Guernsey Tomorrow, it formed the basis of a document, sometime after, I think it was Deputy Flouquet, the only thing that seemed to come out of it – which surprised me because there were things about environmentalism, there were all sorts of things about people back in 2009, it might have been that far back – he said at the time was out of the Guernsey Tomorrow thing would come this new concept of village identity and building in centres.

430 But that ultimately was subjective, because people went into a place to have some ideas and we heard I think about dairy farming at the time. I think one of the things at Guernsey Tomorrow, and it might be the case that the continuous nature of the agricultural priority areas, might have come from Guernsey Tomorrow, because there was an idea to keep all the cows in the south.

So that was effectively subjective. The SLUP, again, it is interpretive. It is not pure and accurate. We have got humans involved again. The planning inquiry, we have got embedded, I think it is in the 2005 Planning Law, that effectively no changes can be made to the IDP until a planning inquiry is set up. I did not realise, or I would not have known and I do not think too many people in this Assembly would have known, that we have effectively quoted a statutory body which does not exist until someone says something.

It is a very odd situation and it seems wholly anti-democratic to me. The line coming out from the IDP and planning officers seems to be, and I do not mean this unkindly, that it cannot be changed. That is the Law and there can be no discussion whatsoever until there is a planning inquiry. I have already told you planning inquiries are fairly subjective. We as a body are subjective. I am relatively sure, and I am working with the Law officers, to see if – and I will get to that bit in the end – some minor changes to the IDP cannot be made, possibly lifting the requirement for a planning inquiry. So I have given everyone fair warning that is what I am looking at and it is around the agricultural fields.

Out of that, we have the Guernsey Tomorrow, the SLUP, the planning inquiry, which to be honest with you, let's face it, it was opened up to a lot of people who said, 'Where do you want to build? Come and tell us.' That is not people landing on Guernsey, like the three monkeys with their hands over their ears, their hands over their mouths, and their hands over their eyes. There is a fourth one, but that is normally done for comedy effect! They were basically asked to be influenced.

That is what a planning inquiry does, it asks to be influenced. It is a shout out that says, 'Have you got a patch of land here? What is your old vinery site, here? What do you want to do with your curtilage?' This whole system is ultimately a subjective ... I am sorry, Deputy Brouard, that is exactly what happens. There is a shout-out, through you, sir, for people to come to a planning inquiry. That is how we have got delayed, that is how we probably have got Pointes and I do not know about Le Maresquet, but I am going to get to that in a minute.

I am going to talk about a very narrow area of agricultural fields. I think, as I understand it, I am happy for anyone in the DPA to come and correct me, the IDP is quoted to two mainly contiguous patches of agricultural areas, one certainly in the solid south and one sort of seems to be in the Castel/King's Mills area. Where I part company with this is the assumption that agricultural priority areas have to be joined together and the deep sod and the green grass of the south and the centre of Guernsey has more value, in some way, than the sandy soils of the north. This was touched on a little bit mainly by Deputy Roffey and to a degree by Deputy Hansmann Rouxel.

My view is quite simple. Every single field in Guernsey should be an agricultural priority area or should have protection. We should not be building on fields before we are building on brownfield sites. It is as simple as that. For all the talk about policy, procedure, planning inquiries, infrastructure, how we look at things, it is a very simple message to everyone in this Assembly and in this Island: do not build on the remaining greenfields. There is no reason for it whatsoever until we have started looking at land banking. I know Deputy Tindall asked us, through this debate to give her ideas to think about. Deputy Tindall, if you can, you can look at land banking and find some ways to protect the remaining fields in this Island. There is no reason whatsoever –

The Deputy Bailiff: Deputy Inder, you cannot direct your comments to an individual Deputy, please.

Deputy Inder: I beg your pardon, sir. If I can ask through you, sir, Deputy Tindall to give consideration to the protection of our agricultural fields and the ones that are currently in the housing allocation area. I suspect there is something in Law, through you, sir, I am not entirely sure what the word is, there is something like a legal expectation.

Now if you look at something like Pointes Lane, I believe it has been transacted over the last couple of years. It is already in a housing allocation area and the money paid for it is quite clearly

over the value of what would be a small triangular field. If we put an embargo on that now I think we would be in trouble, we would be in a judicial review and my suspicion is that it is already lost. I will give way.

Deputy Fallaize: I am grateful to Deputy Inder.

Would he agree with me that he is asking the Members of the DPA to exercise some judgement in this area, but the problem is that if they do as he suggests and effectively put a block on development in the areas that he is talking about that they are acting contrary to the IDP and the applicant, if all such applications are rejected, will just take the thing to appeal and the decision will be overturned because the planning appeals panel will make the judgement against the Island Development Plan. Although I fully agree with what he is saying, he is actually asking Members of the DPA to do something which they cannot do and if they did their decision would just be overturned on appeal by people who are not democratically elected.

Deputy Inder: Sorry, I will now give way to Deputy Gollop.

Deputy Gollop: Thank you.

I will come onto this in the summing up but I do not recognise the picture Deputy Inder paints of how we came to this situation of a sort of round robin of development opportunities because, as Deputy Hansmann Rouxel and others have pointed out, sustainable development is very much at the forefront of the Plan. I would comment though that it might be useful before I sum up if it is possible for H.M. Procureur to give the legitimate and legal ways one could put into effect what Deputy Inder would require, through procedure rather than just through comment.

Deputy Inder: Thank you.

I do not think there is much to comment, through you sir, to Deputy Gollop. Actually Deputy Fallaize, before the interjection, that is exactly what I was saying. I think some of them are just lost. The question is how they ever got there in the first place, is the point I was making.

Deputy Gollop: Because you approved them.

Deputy Inder: I did not.

Now, as I have said, if you lose a field once you will lose it forever. There is this strange thing, again Deputy Roffey touched on it, this whole idea of what was previously a vinery site. There is an element of taking history back to prove your point. If I walked down La Hure Mare and I looked at what as I see as a field down there, if there is a horse in it, there is a field. If you take one of the planning officers there, the chances are they will tell you it is an old vinery site.

Let us have this conversation. We are both standing over the wall. There is Inder saying, 'What is this?' You have got a planning officer saying, 'It is an old vinery site'. You have got me saying, 'It is a field.' 'Prove it.' 'What is that standing in the middle of the field?' 'What field?' Okay we will have that argument. 'The vinery site. I will walk with you for a while. What is that standing in the middle of the field?' 'I cannot see anything.' 'The big brown thing.' 'The one with a mane on it and the tail, eating the grass?' 'Looks like a horse to me.' 'Is it picking tomatoes?' 'No, it is not.' 'It is probably a field.'

If it looks like a field and it is grazed like a field, it is probably a field. So I would ask effectively, in closing here, my main concern, and I understand the difficulty the DPA and the officers have, our main concern, through you, sir, is please try and find a greater protection for all of our fields. Every single field in Guernsey should have the same protection as the agricultural priority areas.

Thank you.

The Deputy Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, I have just got a couple of points, the first one specifically relating to Health & Social Care.

I am sure everybody has read the Report right up to page 250 – that is where my letter on behalf of the Committee is, sent to the President of the DPA after his request for information for the Report. Part of it relates to community hubs and concerns regarding rejection of one particular application, which we thought fit very well with the whole concept of community hubs.

Since then we are aware of another application, again, which would support the development and really have the full support of HSC because of that. We did meet with the Director of Planning, the Director of Policy at the DPA, with Deputy Gollop, and I believe that they have a good understanding of what the Partnership of Purpose is about and the role of the community hubs, and that is actually referenced in page 85.

But we are concerned that, given the reductions of these applications and some of the conversations that have been had, that perhaps that understanding has not filtered down through the DPA and we are wondering whether Deputy Gollop can ensure that happens. We would also welcome further discussions with him and officers just to really understand what are the blockers here, because this is a key part of the Partnership of Purpose and we do not want to be falling at the first hurdle.

Secondly, just on a personal level, I think I made my views known quite well when we had the debate on the IDP over comparison and convenience retail. That is all on the record, on *Hansard*. I am not going to go through it all here, you will be pleased to know. I would like to thank the Director of Policy at the DPA for confirming that whilst the SLUP places a specific requirement on the IDP to make provision for comparison retail in main centres and limited convenience in local centres, there is nothing in the SLUP that specifically says there can be no comparison retail in the local centres.

It purely sits in the IDP, as a result of a retail study back in 2010 and a Retail Strategy, done by Commerce & Employment, which I never supported and which never went to this Assembly. It was all about not impacting the viability of Town and Bridge. There is nothing *per se* that should prevent limited comparison retail in local centres to meet local needs, as Deputy Hansmann Rouxel was talking about and this will resonate with her, to reinforce a sustainable community.

What we need is a revised Retail Strategy. I note in the Committee *for* Economic Development's policy letter, also in this Billet, that they are looking at producing a policy statement in quarter one next year. I do not think that is enough, quite frankly. I think we do need a Retail Strategy that comes to this States. But as a minimum I want that Committee to look at this specific point and address it as part of that policy statement.

That is something I will be looking for and if there is not anything there I will then consider what further action I will take. In any event I would like the President of the DPA to advise whether, given the IDP does not directly follow the SLUP, they will be amenable to discussing a way forward; a more pragmatic solution to what I believe is a completely nonsensical policy that is in place at the moment.

Thank you.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

I think perhaps it was inevitable this would happen but I think this debate slightly conflates two issues and I think there have been some really very good speeches and some very good points made. But we are debating two separate issues. One is around planning process and how decisions are made and one is what is the content of at least aspects of the Island Development Plan.

Since both of them have been raised in this debate I will briefly address both. In terms of content of the Island Development Plan, my main concern is along the same lines as that expressed by Deputy Roffey and developed by other speakers. I agree with Deputy Roffey's point

about the east/west divide. I represent a parish which, partly anyway, falls in the east, along his east/west divide, and I accept that parts of the parish I represent, inevitably already are and will
590 continue to be more heavily developed physically than most of the west of the Island.

I think that is acknowledged and I do not think the complaints which are sometimes made about planning decisions by Vale and St Sampson's Deputies should be interpreted as rejecting that basic principle, which has now been established in planning policies for some years. So I accept we already have had a proliferation of ribbon development over too much of the Island;
595 we do not want that to continue. I think it has been arrested to a large extent, as a result of planning frameworks in recent years, and that is a good thing.

But I think Deputy Roffey is right to emphasise that does not mean that you can have endless development in those parts of the Island where there is an acceptance there will be more development. If you live in quite large parts of the Vale and St Sampson's, the eastern parts of
600 those parishes, for many people who live there it feels as if you are living in a sort of suburban jungle. Let alone having access to any green space, you cannot see any green space. This is because of the kind of culture of in-filling which continues to persist in those parts of the Island.

The Development & Planning Authority recently has given approval, either to detailed development frameworks or actual planning applications in a whole raft of these areas, which are
605 nothing other than fields which happen to be in areas where there is a lot of physical development around them. There is an application in at the moment for another one, which makes the corner of the Mares Pellees and Braye Road. It will be interesting to see the extent to which the Development & Planning Authority takes any account of the comments made in this debate when they sit and determine that planning application.

That is the point I have to make in terms of content. I would not go as far as Deputy Inder and say every field should be considered an agricultural priority area because if every space is an agricultural priority area then there is no priority.

I will give way to Deputy Inder.

615 **Deputy Inder:** Point of correction, sir.

The Deputy Bailiff: Point of correction, Deputy Inder.

620 **Deputy Inder:** I think what I actually said is 'afforded the same protection as agricultural priority areas'.

The Deputy Bailiff: Deputy Fallaize to continue.

Deputy Fallaize: Thank you, sir.

625 In effect that would turn them into agricultural priority areas. But anyway I do not think there is a material difference between what we are saying. I think there is a difference between agricultural priority areas and open spaces where their value is in their amenity to the people who live around them, rather than agriculture.

So my plea, if it is possible to make a plea in terms of the application of the Island Development Plan, in this debate, to the Development & Planning Authority is to recognise the amenity value of open, largely green spaces in areas which are already, by Guernsey standards, relatively heavily developed and I look forward to seeing whether there is any change in the Authority's approach over the next few months. Because at the moment, in my view, they do not give sufficient priority to open, green amenity areas.

635 But really I think this is more than a debate about content, because actually it is an empty debate about content. The only Proposition is to note the Report. There is no opportunity to change any policy, so all we can do is ask the Development & Planning Authority to take some of these views into account.

But this is, in many ways, really a debate about process. Are we satisfied with the process which underpins land planning? I think there is a great deal of disquiet about it and I am not surprised, because this is an area where successive States have tied themselves up in legislation and policy like no other area.

If the democratically elected Government wants to change the direction of policy in really quite profound, important areas for the Island – let us say population policy, taxation policy, education policy, it can be done. It is not easy to do it because you have to put together policy proposals and you have to come to the States and you have to persuade the States that there should be policy change and then you have to rely on a committee to put the policy change into effect.

So it is not that it can just be done on a whim, but it can be done. In the area of land planning, in effect, it cannot be done. That is what we effectively have to accept. It probably cannot be done in one States' term, which means in effect it cannot be done. There is a vast amount of what is really planning policy, which is now expressed in legislation. That is the first problem.

Then if you want to have any meaningful change in policy you have to go through a planning inquiry. Now almost no one in a period of financial restraint, at least, is going to be prepared to come to the States and say, 'For this, what is, in the big scheme of things, a relatively minor change of policy, I am proposing that we should commission a planning inquiry.' The advice would be: 'That is going to take two years and it might cost about £1 million. So if you want to do it by all means, but that is the hurdle you have to overcome.'

The people who will put that advice to the States will do it honestly and correctly, because that is actually what you need to do, but they know that it is such a hurdle that it can kill off all reasonable debate. That is the position we have got ourselves in by having a Strategic Land Use Plan, which sits at the top of the whole process, then an Island Development Plan, and then a whole load of other sub-plans, which either fall out of the Island Development Plan or sit somewhere between the Strategic Land Use Plan and the Island Development Plan. The whole thing is bound up in legislation and policy to such an extent that any sorts of views expressed by Deputies in this debate are almost irrelevant.

Now why has that happened? Why have we done this in land planning when we have not done it in any other area of Island life? The answer is because historically the perception was built up for years and years that what the planning process consisted of, essentially, was a committee of States' Members and some non-States' members, who sat making completely subjective judgements, very often based on whether they knew the applicant. I am not saying this is what happened, I do not believe it is what happened, largely, but this was the perception.

It was based largely on whether they knew the applicant or whether they personally, using their own completely subjective, inexperienced views, thought that particular area looks okay for development, but that one did not, so we will approve that one, we will not approve ... That is what is being said to us when the advice is being provided about what might or might not have been allowed in west coast developments today.

What is essentially being said is that was a time when elected but inexperienced people would lick their finger, stick it in the air and decide which direction the wind was blowing and whether they wanted to permit an application or not permit an application. That is the perception which existed in the 1980's and into the 1990's. It is what caused the initial report in I think it was 1988, on ribbon development and it is what has led to the development of the Strategic Land Use Plan and the Island Development Plan and before that the Urban Area Plan and Rural Area Plan.

That is why we have bound ourselves up so much in legislation and policy because previous States wanted to overcome the perception and the fear that planning was being discharged in a way that was completely subjective, partial and, according to the perception of the time, to some extent lacked certainly consistency and possibly integrity. That is why we are where we are.

Now my view is we have gone far too far the other way. I think it was right that there needed to be more objectivity and policy put in place of the largely subjective planning application process, so I do not think we should go back to the old days. But I think we have gone too far in the direction of trying to determine planning applications on the basis of legislation and policy

which is now so dense and so complicated that, actually, to the ordinary person and to Deputies who have been democratically elected and may wish to change policy, it is actually completely impenetrable. I do not think that is sensible.

695 I was going to ask the question how do you get out of it? I suppose first of all we need to establish whether the States wants to get out of it? It might actually be that a majority of States' Members, even though they are apt to complain about the outcome of certain planning applications, actually, when push comes to shove, they might seek comfort in this raft of planning legislation and policy, which we have designed for ourselves and that may be the majority view and if it is, fair enough. It has to be accepted.

700 I do think, though, it probably needs to be tested. I am not sure whether that is the majority view of the democratically elected Members and if it is not then we ought to set about trying to change it and we ought to revisit why there is a need for land planning policy to be tied up in so much legislation and so many policy frameworks, when other areas of Island life, which are equally as important to the people who live here and equally as important to the future of the Island, are not tied up in so much legislation and policy.

705 But it is no good just criticising the Development & Planning Authority who actually are making judgements on planning applications at the very end of the process. They are obliged to follow the Island Development Plan, which follows the Strategic Land Use Plan and, as I said in my intervention when Deputy Inder was speaking, if they do not follow ... and actually they are not following it as much as previous Environment Departments did, they are using more subjective judgements.

715 Officers are recommending that according to the terms of the Island Development Plan the Development & Planning Authority should make this decision and in some cases the Members of the Authority say, 'No we are not going to make that decision, we are going to use some kind of judgement ...' and more often than not in those cases reject applications which officers have advised meet the terms of the Island Development Plan. I say good for them but of course the likelihood is the applicant will just go to the Planning Appeals Panel, the Planning Appeals Panel will say the elected Members of the DPA have not quite applied the IDP correctly in this case, so we will overturn their decision. That is where we are.

720 It used to be that the applicant would have had to have gone to the Royal Court. My view is that was a very high bar for the applicant to overcome and therefore the decisions of the elected Members, in those days of the IDC, generally held sway, because the applicant did not go to the Royal Court. There were some high profile cases, which Deputy Ferbrache is smiling about, I cannot for a moment think why! But there were some high profile cases in the past, decisions of the IDC which were in effect overturned. Now it is much easier for the applicant to do that because of the existence of the Planning Appeals Panel.

725 But if we want to get over that and put more of the power, for want of a better word, in the hands of the elected Members, the way to do it is to get rid of the Planning Appeals Panel and put the appeals process back into the hands of the Royal Court because then the bar to making appeals is much higher. But are we prepared to do that? I do not know. Maybe that needs to be tested.

735 The issue is, what I am saying is, there is no point in criticising the officers who work for the DPA and, in my experience, are exceptionally professional and impartial and objective and as good experts as we have in any other area of the States. It is no good criticising them and their advice, or criticising the elected Members of the DPA, when they make planning decisions based on policies and legislation, which we have put in place. If we do not like the outcome, we have got to change the Plan or better still change the process so that there is more subjectivity applied by democratically elected Members into this process than there is at the moment, than they are allowed to provide at the moment.

740 I will give way to Deputy Gollop.

Deputy Gollop: Thank you.

Whilst agreeing on so many levels with so much of what Deputy Fallaize is saying, and I think it is very helpful in informing other Members of this Assembly, I would like to suggest he is going rather beyond the scope of the Annual Monitoring Report in discussing the way in which the Committee works and the history of legislation pertaining to this topic.

Deputy Fallaize: Yes, I fully agree with Deputy Gollop. I am going beyond the Annual Monitoring Report and I am pleased that he pointed that out only when I was very close to the end of my speech! (*Laughter*) I thank him for that. I do think the central issue here is do we think we have tied up the area of planning, how it affects Island life, too much in legislation and policy?

If we do then we have to revisit it and it is not going to be quick and it is not going to be easy and it is a very serious task to undertake. But there is no point complaining on an individual or case-by-case basis about decisions made by the Authority when they are really only applying the legislative and policy treacle into which we have made them wade.

Thank you, sir.

The Deputy Bailiff: Deputy Leadbeater is your wish to be relevéd?

Deputy Leadbeater: Please, sir.

The Deputy Bailiff: Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

Members will be happy to hear that half of my speech has now been covered by Deputy Fallaize in very eloquent form. Like him, I believe that the system has changed over the years, to take it from a very subjective system under the old IDC to now being a completely process-driven system and in fact a Gordian Knot of legislation that is almost impenetrable and, as he has put very eloquently, it would take more than one term, probably, to address the issues that are involved.

This covers one of the questions I wished to pose to Deputy Gollop, as President of the DPA. At the end of the day we, as an Assembly, have to decide whether we believe that we should have more subjective involvement in the decisions representing our electorate or whether we wish to have a system that is purely driven by rules, but inevitably we will end up with certain sites being developed in one way or another that we, as individuals, and we on behalf of the electorate, and the electorate in general, do not agree with.

So what I would like to ask the President, what is the President's opinion of the role of Deputies on the DPA? Should they have more ability to be able to inject subjective views into decisions or, if the process remains as it is, should the DPA become a statutory body with no Deputies sitting on it at all? At the end of the day, if Deputies cannot influence the decisions, for the reasons Deputy Fallaize highlighted, why are they there? At the present moment they get criticised, in fact we in this Assembly get criticised for allowing planning decisions to go through when, in fact, we have very little influence over that process.

The second part of what I wanted to say was actually about the development of that process and whether it has been flawed or undermined by failings of previous States. We started this process of developing this new strategy towards land planning and making it a very much process-driven system in the Land Planning Development (Guernsey) Law 2005 and the similarly named Ordinance of 2007.

Then in 2009, the Guernsey States developed the first States' Strategic Plan and initiated the Island Infrastructure Plan. The Island Infrastructure Plan was intended to be an over-arching, strategic plan, looking at all infrastructure. We are not talking just about transportation; we are talking about energy, water management, sewage collection, communications, solid waste management and accessibility to amenities and access to public facilities such as schools, health

care and emergency services. So it was meant to cover everything and then form a foundation for future plans.

If you go to the 2011 States' Strategic Plan it defines the objectives of the Island Infrastructure Plan as being to 'inform decisions on sustained development through sound planning and use of infrastructure assets for effective governance for asset management and associated service delivery are critical'. The SLUP in 2011, the Strategic Land Use Plan, is one of the four Island resource plans that form part of the Strategic Plan. The other Island resource plans cover energy, population management and Island infrastructure:

The Strategic Land Use Plan provides a high-level spatial planning framework endorsed by the States to guide the Environment Department in the preparation of more detailed development plans.

In the IDP in 2016:

The Strategic Land Use Plan notes that modern infrastructure is vital to the function of the Island and it is an important objective of the Plan to assist a planning system to be capable of enabling its timely provision.

It again goes on to mention the various different areas of infrastructure required. The problem is the Island Infrastructure Plan was never done. It was never created as a complete, over-arching, broad strategy. It has been attacked in a limited way in specific areas. But on that basis we have gone ahead and developed a planning system that is supposed to be process-driven, but my fear is that we are not properly assessing the cumulative impact on infrastructure, the broader infrastructure, not just transportation although transportation is probably the area most visible to the individual on a daily basis, but the broader infrastructure impact of cumulative properties that are being approved under our planning process and are detailed in this Report.

Therefore I would like to ask the DPA how is the DPA ensuring that our infrastructure, in the broader sense, can cope with a cumulative volume of approved real estate development? Based on this, the fact that you effectively built a planning system that is based on four legs, four strategic reports, and in fact has only been built on three, I would question whether or not there needs to be a broader review of even the process.

Even if we are staying with a process-driven system whether that process itself needs to be reviewed and potentially changed in light of a proper review of infrastructure and its sustainability. Therefore my final question is will the DPA bring forward the five-year review to address these and other issues raised today?

Thank you, sir.

The Deputy Bailiff: Deputy Graham.

Deputy Graham: Thank you, Mr Deputy Bailiff.

I believe that Deputy Ferbrache was right in his prediction that this would be a debate lacking in a certain structure but I think it was bound to be and I do not think we need to be defensive about that because the context is very important, in my view. Deputy Roffey referred to that earlier on.

The IDP was placed in front of us back in 2016, I think within about four months of our taking our seats. We formed up in May and there was a debate with the IDP coming up in November and I think we got those three volumes, as I seem to remember them, being presented to us about two months before the debate.

So when we came to debate that in November I think there were very few Members of this Assembly who would claim to have been thoroughly prepared in terms of being able to look into the IDP and detect all but the most egregious of the examples that we would seek to rectify. To be candid the Members of the DPA themselves, at that early stage, were probably still grappling for total comprehension. That is how it appeared during the debate at one stage, anyway, sir.

I make no apologies for what is going to be a few reflections on where we are now because I think, really, two years on, that is the purpose of debating this AMR, really reminding ourselves what we think of the IDP that we voted for in November 2016. I know the President of the Authority constantly wishes to refer to the legitimacy of that IDP and of course one does not challenge the statutory ... I will not give way. Any retaliation can come in your explanation toward the end.

I am not in any way challenging the statutory standing of the IDP but I think, to be brutally frank, in terms of its democratic acceptability, the jury is still out in some areas and that was one of the reasons I agreed to second Deputy Merrett's amendment, to have it debated. I was not actually going to speak at all except it was something that Deputy Fallaize said that really prompted me to stand up.

I feel a bit of a relic in the sense I was a non-States' but elected member of the old IDC back in the 1990's and I served on it for five years. My experience, unlike that of Deputy Roffey, was entirely enjoyable. It is not that I deny the fact that you cannot please everybody all the time, and certainly one came in for a certain amount of flak, but there was a great deal of satisfaction in being involved in the process in a way that I feel our modern counterparts are denied.

Deputy Fallaize refers to the sort of subjectivity of the decision-making in those days. On that Committee were the likes of John Langlois and Bill Bell. Now these were not people who were prone to make judgements on the basis of little evidence. Some of the things we did on the committee in those days, two of them in particular, are almost laughable now. One was the fact that all the elected Members, even as a non-States' member I am pretty certain I had the right of the decision to vote on applications, the fact we were deeply involved in all but the most mundane of applications seems to be laughable now.

Deputy Fallaize says perhaps the wheel has turned a little bit too far away from that. The other thing that was of course laughable and came to be sneered at was the fact that if an application was remotely contentious we actually used to go and see what it looked like on the ground to assess the impact. How stupid was that?! There we are. Things seemed to work, but we have moved on since then.

The reason I am referring back to that time is actually because it was at that time that the current Planning Law was being given birth to, the first stages of bringing an expert in planning law over from the United Kingdom to help us construct our new Planning Law, which I think took another 10 years to come to fruition.

I remember we used to have a debate at the time, a philosophical one. There were two approaches to planning. One is you can approach it on the basis that everything is forbidden unless it is expressly allowed. But the converse to that is plain to see. The writing was on the wall at that time as to how the new Planning Law was going to be when it came to that. The writing was on the wall in the sense that, as Deputy Fallaize has predicted, the new Law became so dense to the point it was going to be impenetrable for the average lay person who might find themselves involved in the process.

I think so it has approved. I mention this *apropos* of making a point that nothing I say is in any way critical of the good ship DPA, whether those who stand on the bridge or those who work the pedals. The President of the Authority wondered whether Deputy Fallaize was straying too far in the debate in bringing the process in the Law in. I find it impossible to talk about the IDP without having the Law that came in in 2005 very much in mind.

This is all leading up to something. Where does this actually impact on the ground? I think one or two of us have already identified those areas where we think it impacts unsatisfactorily. We are talking about fields. To me, I am not too fussed whether it is an agricultural field or just a field. If it is a bit of grass, with an earth bank round it and a hedgerow and a few trees, it is a field to me. I really think they are a precious part of the fabric of this Island.

There are a number of detailed aspects to this. First of all, what is the degree of protection as to what can be done and what cannot be done with an agricultural field? Now we can all think of examples where these agricultural fields are manicured to within an inch of their life. If that goes

on unchecked we are heading for Basingstoke on Sea in this Island and I do not really feel that is the way we want to go.

895 There is a separate but related issue about the ease, as it appears, by which an application to convert from agriculture to domestic curtilage is permitted. I do not know how many examples there are of that, but the perception is that it is too easily accomplished. Certainly there are examples in the Castel where we felt that has gone too far. It was particularly sad to see that the Cobo Alice field that we so protected two years ago in the debate, those Members of the States who remember, has in my view gratuitously been allowed to be part of domestic curtilage on a new planning development.

900 A final reflection, Members of the States, if I may. That is the role of these periodic surveys and predictions of housing need on which so much of the policy seems to be based. I really do question the value of those. I cannot remember the last one that was accurate and I think, philosophically, it poses a question for us all: what is the value of these surveys and these reports and these predictions if they are so wrong?

905 The alternative I suppose is the anarchy of no plan at all but is that necessarily worse than a survey and the results of a survey which produce results, which produce policies, which produce action on the ground, which are based on false figures. I will leave it for Members of the States to think on that.

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The Deputy Bailiff: Deputy Yerby.

Deputy Yerby: Sir, on the one hand, development is relentless and it is all wrong. On the other, the legislative and policy framework is impenetrable treacle and there is nothing we can do. 915 My response is perhaps mostly to the speeches by Deputy Fallaize and Deputy Meerveld. I wanted to respond that perhaps it is not so much a process-driven approach as a justiciable approach.

We have not really talked about the property rights of individuals, which are foundational to our society, and we must have a fair process in place that guarantees a protection of these, as well as the appropriate development of our community. I do find it amusing how those who are usually dead set against state intervention suddenly love it when it comes to planning. 920

I am sure Deputy Inder and Deputy Graham may recognise themselves in those remarks, although Deputy Fallaize, whose attachment to state intervention goes bone-deep, may be excused for carrying it through into the field of planning. What this is really all about is a negotiation between all of us who live here and those who are going to live here in the future about what we need to meet our needs as a community, as employers and workers, as families and as individuals. 925

That does need a certain amount of formalisation of essential shared frameworks and policies and of common understanding. So I think it is critical to recognise that, while there is certainly room for improvement in the IDP and the SLUP, or perhaps in the way that they are sometimes applied, it is not about throwing the baby out with the bath water. I do want to add my support to those, whatever their position on planning, who have suggested that actually we do need to revisit the IDP before the end of this States' term as States' Members who are now knowledgeable and experienced in the application of it, and allow that review to take place earlier rather than five years into the cycle of the IDP. 930

935 It is the physical manifestation of who we are and who we want to be as an Island. It is that critically important and it does deserve our thoughtful scrutiny. I wonder if, in future, it might not actually be wise to tie in the ongoing development and review of the IDP with the review of the P&R Plan as the things are intrinsically linked in the creation of the Island that we want to live in.

Thank you, sir.

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The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, sir.

I have very little to add to the debate. I think it has been very interesting. I just want to put a different perspective to some of the comments from Deputy Inder. He is absolutely right. The common view when you have a planning inquiry is that everything is up for grabs and that you can change anything and you can have the extension on your house or you can change the field into a building plot for your children.

Unfortunately, we are being very poor as a States in explaining that the public inquiry is to see whether or not the States' Strategic Land Use Plan can be delivered by way of the Island Development Plan and that is what the inspector is tasked to do. Unfortunately, it took me several years to understand that because you end up looking at the wrong end of the tunnel and that is the difficulty.

There are so many bits you have to change first that you want something else changed. There is no point changing the Island Development Plan, you cannot touch that because you have got to touch the SLUP. But you cannot touch the SLUP because you have then got to look at something else and so it goes on.

I do have a lot of sympathy for it but I think one of the pieces we have got wrong as a Government is we have not been clear enough when we have a planning inquiry exactly what it is we are asking the public to comment on. We make it very general, that you can have everything you want, but in effect we have promised something almost that we cannot deliver, because it is really for the inspector just to check whether or not the Strategic Land Use Plan can be developed by way of the Island Development Plan.

It is quite interesting, we are two years into the new Plan, but I just want to give you a little bit of history. Back in the day, November 2011, Deputy Mahy from the Vale, was in this Chamber with myself and we put forward a proposal, it was very radical at the time, that actually, as we go through the IDP, that brownfield sites in the areas of development will be used first.

I thought that was quite a sensible idea. This Chamber back then decided it was not. There are many Members of the Chamber from that time, who are still here, voted against that idea. There are several that are still here that voted for that idea. It was put to the States to have brownfield sites used first, but it was quite heartily rejected.

Thank you, sir.

The Deputy Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Sir, I was the only person in the Assembly that voted against this debate. It has moved miles and miles away from the actual purpose of the debate, which is the Annual Monitoring Report. In fact very few people have referred to it in any particular length. It has just been a 'let us talk about the Planning Law' debate, really. There have been some excellent speeches and some not so excellent speeches.

It always amuses me that when you see Deputies – and they have done it ever since I have been back in Guernsey in 1980 and they were still doing it last year and no doubt they will do it this year, perhaps not this year because it is getting cold but they will do it next year – they march up and down and say, 'You should not have a development there, you should not have a development here.'

Sometimes I think they forget (a) that some of the people that are actually proposing the development are also their parishioners or their constituents and (b) that they have voted for the Law and for the Plan. So that inconsistency always amuses me a little but does not surprise me because, as Deputy Inder said, we are all human. Most people want to get re-elected and most people do not act as consistently throughout their lives as they perhaps, in an ideal world, should.

I think the stand-out speeches, if I may respectfully say so in this debate so far, come from Deputies Parkinson and Fallaize. Deputy Parkinson's comments can be summarised in a couple of sentences, saying: we have got too much process and we have not got enough substance. That is basically what he was saying and he is absolutely right.

995 Forget all the theory. We did have a Planning Law. We had something called the Natural
Beauties Law, which was about six or seven sections. But the first time we had a real Planning Law
was the 1966 Law. That was a statute of its time, because it was about 40 sections. The 2005 Law,
which was so complicated it did not come into force, I think, until 2010, is that big. That has
always been the case, because I can remember when I read revenue law in my Bar finals, the text
1000 book was that thick. Those having to read it now have to read text books that are *that* thick. So
there is much more law, much less sense, much less flexibility.

I commend also – though I do not always agree with them, they always act in good faith, they
are always approachable – the planning officers. They are doing a difficult job and they are doing
it well. They only get it wrong when they disagree with me, so most of the time they are right.
1005 They do a good job and I repeat what I just said, they are very helpful. They will say, ‘You cannot
do this. What about that?’ and you can have a discussion.

But we have got to look at where we are. When I came back to Guernsey in 1980, I knew
nothing about Planning Law. I had not done it in my LLB, I had not done it in my Bar exams, but I
was soon one of Guernsey’s experts in relation to it because I actually read the 40-section statute.
1010 Of course, I was also fortunate to be in partnership for many years with Roger Perrot, who was a
terror of the IDC for very many years. If he phoned up the planning officers they were tremulous
in relation to it. I thought, I cannot be as strident as him, my style is much more gentle (*Laughter*)
and I will approach in a different way.

We used to have a scorecard about how many appeals we won. We both won more than 50%
1015 under the old system. You go to the Royal Court, it was not that structured really. You would have
to show on the balance of probability that the Planning Authority and the IDC were wrong. It is
much more difficult now but we have got a better system in lots of ways as regards the appeal. I
commend all the members of the planning appeal body but the three chairpeople are absolutely
excellent. They test the Planning Authority to the nth degree but, equally, if you have got a
1020 fatuous appeal they will let you know in a most courteous way, very early on.

But what we have got now, we have got something that you cannot move quickly. You just
cannot move quickly. We have got too many rules, too many regulations. But we have got to
realise that if we ameliorate those rules and regulations, there will be more plans, more
applications will have to be granted, there will be more development. As soon as you take your
1025 foot off somebody’s throat or you relax it, you have to relax the rules.

It was much easier until 2010 to be able to appeal and to get your development. Much easier
than it is now. We can do some practical things very easily but there is no chance that this States
will do that – there is no chance the next States will do it – because it likes its interventions, it likes
to control things. It likes to be able to regulate things. We have got to face the fact we are a
1030 triangular shaped Island of 24 square miles. My good friend Deputy Paint will be able to tell me
how many vergées that is. It is a lot. But it is still a very small land mass.

Nobody wants somebody to build in a field, unless it is their field and they want to build in it.
Nobody wants a nice big extension, unless it is their extension. Nobody wants development in the
north of the Island unless they are the developers. Equally, people want no development in any
1035 other parishes because they want those greenfields to stay green. It is an impossible task; it
cannot be dealt with to everybody’s satisfaction.

What we have got to realise is that we could actually do things if we wanted to, because
everything takes so long. We have got a Strategic Land Use Plan, which was made, how many
years ago? It is out of date. It is of no purpose. It should be got rid of. It is another bar to moving
1040 forward with development.

Deputy Meerveld, also in a very good speech, said we had this fourth element that never got
developed and he explained that very eloquently. We do not need that. That again would just be
another bar and another impediment to development. The IDP could be amended. It would take a
long time; it would cost a lot of money. If you were to say we were going to amend substantively
1045 the IDP now, it would take three or four years to do anything that is constructive and sensible.

We decided and I know that Deputy Graham was not abrogating – he never abrogates his responsibility – but he was making a good point that five or six months into the new States we were asked to look at this massive task, something that had never been done in that extent before and we passed it. But we passed it. We knew that it would last for 10 years, we knew it could be reviewed and revised, but that would be very difficult, and we knew it was being in some ways prescriptive. Not quite as prescriptive in some ways as the old Law because, eventually, we had case law.

When the 1966 Law came into force in February 1967, there was an Island Plan, which said nothing. There were then to be detailed development plans. I think the six of those did not come on stream until the early 1990's. So there were large chunks of the Island that for 20-odd years had this outline plan where you could almost say you wanted to do anything. 'I want to build my office in Torteval,' was just about excluded but everything else was just about included.

So that is the position that you have. Now you have got all this procedure. But it is stopping, through no fault of the planners, who approve almost every application if it can reasonably be approved. You have got this practical bar, which Deputy Parkinson very eloquently elicited and explained and said we are not serving Guernsey well. We are not serving Guernsey well but if we take the foot off the throat, if we ameliorate things too much we could go the other way.

I would go the other way because I do think that we ought to progress matters. I hate rules and regulations, although I have made a very good living from them over the last 46 years, because when I die, and I hope even at my advanced years it is still a number of years off, I do not want anybody saying: he knew the rules against perpetuity very well indeed. I hope they say, 'Actually he was not too bad and he did not get drunk too often and he was reasonably kind to his family!'

A Member: Two out of three is not bad!'

Deputy Ferbrache: That is a lot better strike rate than the Arsenal football team. (*Laughter*)

In respect of all of that, there are no easy answers. I am actually quite pleased we have now had this debate but after I have finished speaking, I hope I am the last speaker other than Deputy Gollop.

A Member: Hear, hear!

The Deputy Bailiff: Deputy Lester Queripel.

Deputy Lester Queripel: Sir, thank you.

As we all know, this is a factual report. The officers and staff in the department and the Members of the political board are required to present facts from 2017 to demonstrate how the policies of the IDP perform. Here before us today we have an excellent report full of facts and figures.

The Proposition asks us to note the Report. Yet most Members of the Assembly, when they have spoken, have chosen to express concerns about certain policies of the IDP and they have made reference to where do we go from here to address policies they feel need to be amended, so I will do that as well, in my speech.

It concerns me that some Members of the Assembly and several Members out in our community point accusatory fingers at the DPA and blame the DPA for our being where we are. Members of the community and Deputies have done that prior to debate, out in the community and in the media, knowing full well that is not the approach to take if they want to pursue amending policies of the IDP.

The correct approach to take would be to talk to the Members of the political board and the planning officers in a civilised and dignified manner, instead of acting like petulant children in a school playground. Those Deputies know who they are, sir. As we all know, it is easy to point

fingers at colleagues and accuse them of negligence, instead of rolling up one's sleeves and doing the work that is needed to compile and submit amendments and requêtes that seek to amend the policies and procedures that those Members feel need to be amended.

That is the correct procedure to adopt if Members want their concerns addressed and to enable future AMRs to be more to their liking. So my message to colleagues who want to see policies and procedures amended is accept that it is you who needs to do the work and roll up your sleeves and get on with it; as opposed to making sensationalist comments which make you look good in the eyes of the public but does absolutely nothing to address your concerns. As Deputy Brehaut has often said in his speeches in this Chamber, some Members of States' Assembly speak and act as though they are apart from Government. What they need to realise is they are a part of Government. I resonate with him every time he says that.

I want to emphasise at this point that I am not totally wedded to the IDP, even though I am a Member of the DPA. There are facts and figures in this AMR that I am not comfortable with. But they are facts. They demonstrate where we are at the moment. So I am thinking that maybe I would like to see certain policies of the IDP amended so that future AMRs are more to my liking.

I do have concerns about what we are told in paragraph three on page 135, which reads as follows:

It is also important to note, that the strategic direction of the SLUP is not to protect all agricultural land ... but to focus on protecting large areas of contiguous agricultural and other land ...

I take great comfort from what we are told that, in contrast with the last sentence in the first paragraph of page 151, which reads as follows:

It is therefore apparent that the IDP policies are securing the removal of redundant glasshouse sites through the grant of planning to appropriate uses.

I take great comfort from that last sentence, because it proves that the policies in the IDP are flexible and redundant glasshouse sites can be given permission for alternative use to growing, rather than just sitting there unused. I can see the value in that, except in Ruelle Tranquille, where my view is that no further additional development should ever be allowed to take place in Ruelle Tranquille, which is why I recused myself from the recent open plan meeting on Stratheden Vinery.

I do have concerns about future development on agricultural land, so I will carry on looking to what I can do to address that and I will go about my work in a civilised and dignified manner to achieve what I think needs to be achieved and I only wish colleagues who seem to prefer to behave in an uncivilised and undignified manner would change their approach, so we could all work in a coherent manner.

There has been reference out in the community and in fact by some Members of this Assembly who think that the political board of the DPA allow themselves to be bullied by planning officers, one of whom is sitting alongside Deputy Gollop today. I cannot imagine her bullying anyone, sir, looking at her. The reality is we do not allow ourselves to be bullied because bullying does not actually take place.

I have been a Member of the DPA for the whole of this political term and I have never once witnessed or experienced bullying by our planning officers. They advise us and if we disagree we then explain why we disagree and we then agree to disagree. It is as simple as that. There is no bullying, there is no finger-pointing or shouting. We all respect each other and we work together as a team in a civilised and dignified manner. Having said that, we do have some lively meetings where voices are occasionally raised, particularly mine. No one bullies anyone.

Some speakers have referred to this in their speeches, there seems to be a misunderstanding about what we can and cannot do as Members of the DPA. It seems to be the general understanding that we are bound by the policies of the IDP, but that is not the case, because at any open plan meeting the Members of the board can cite any of the several general material planning considerations we have at our disposal. So if we disagree with the officer's

1145 recommendation that an application be granted permission we cite whatever consideration or considerations we feel are appropriate.

I will just provide colleagues with two examples of those considerations, because I am not sure that all my colleagues know these even exist. General material planning consideration 13.1a: the likely effect of a development on the natural beauty and landscape quality of the location in question. Consideration 13.1e: the likely effect of the development on roads and other
1150 infrastructure, traffic and essential services.

There are more. So we do have tools in the box. We do not have to, we are not bound by the policies of the IDP. Yes, we have to see that everything is done to ensure that they are complied with in a general sense, but we can invoke any one of these considerations and we very often do in open planning meetings. We do not merely nod through applications and I hope that provides
1155 some of my colleagues, who think their political board allow themselves to be bullied by the planning officers, some comfort.

I have been told by some colleagues that they feel we allow ourselves to be bullied. I can say categorically that we do not allow ourselves because there is no need. There is no bullying, as simple as that. I hope that is reported in the media. Very little of what I say in this Chamber is ever
1160 reported in the *Press*, it is hardly ever relayed on the news and the BBC the next day, or Channel TV. The only time people get to hear what I say is if they listen to the debate on the radio. I know several people do that, but not just the one that former Deputy Roger Perrot referred to in a previous Assembly.

Also, sir, just to reiterate, we are not bound; several planning considerations are at our disposal. If Members want to verify that, just look them up on the States' website. All of what I have just said relates to the flexibility that is referred to in this AMR on several occasions. I do not know how many times, I have not counted, unlike Deputy Sarah Hansmann Rouxel, who meticulously counted and relayed to us the number of times the word 'sustainable' was used. But the word 'flexibility' is often used in reference to the IDP because that is exactly what it is. It offers
1170 flexibility and it is flexible.

So I would ask Members who are perhaps considering laying requêtes to amend policies of the IDP, or even the processes of the DPA – there has been reference to development frameworks, questioning whether they are needed or not – bear in mind flexibility does already exist and there might not be a need for them to lay those requêtes.

1175 But if there are Members who are considering doing that so that future AMRs might be more to their liking, I would ask those Members to come and talk to the DPA and the planning officers in a civilised and dignified manner, because then we can establish whether or not you even need to continue with your requête. Or if you decide you do want to continue with it, then planning officers can help you compile it, as they are obliged to do. That is known as joined-up
1180 government and not Deputies working in silos.

Thank you, sir.

The Deputy Bailiff: Deputy de Lisle.

1185 **Deputy de Lisle:** Sir, thank you.

This is a very useful Report, well worth debating, in providing monitoring and review of the Island Development Plan and the degree to which it reflects correctly the SLUP. The Island Development Plan sets out the land planning policies for the whole of Guernsey in a single document and under a single plan at the current time. Something new after the urban and rural
1190 plans that we had in the past.

I fully support the spatial policy, which is really the fundamental part of the whole Plan and I think it is really the Town and the Bridge as the Island's main economic centres, fostering that and also fostering those areas that are an attractive place to live and work and spend leisure time with the Town as the primary retail centre.

1195 I think emphasis needs to be made and placed on improving the attractiveness, improving and maintaining what we have in those centres. We have to be cognisant also, sir, of the comparative advantage of St Peter Port with respect to surrounding centres. I talk of St Helier and also Southampton as competing centres, essentially.

1200 The current spatial policy is important to foster growth in our primary centre town in order to retain competitiveness as a community and much remains to be done with regard to that, with relation to improvements to the Town, noted in the 2017 retail report, particularly in relation to a number of areas where we can stimulate growth, perhaps, in the Town as a centre for leisure activities and also work and retail activity.

1205 The concern of empty shops; the concern of lack of parking. I think these are areas that we have to be looking at. The fact that we brought in Sunday opening and the fact that, really, it has had relatively little effect. And the fact that we bring in other policies or other initiatives, such as the Seafront Sundays and events, which are located along the front, rather than incorporating the Town as a whole and seeing that the Town develops accordingly with that particular advantage.

1210 It is a trick we are missing, really, by encouraging event traders, for example, to occupy shops in Mill Street and Mansell Street, and become sedentary traders, if you like, rather than part-time Government-subsidised event stallholders. This is something that we need to be looking at, in terms of fostering growth and development of St Peter Port, in order that it remains competitive as a centre *vis-à-vis* other centres surrounding.

1215 The comments with regard to agricultural land, the concern with the strategic direction of the SLUP not to protect all agricultural land but to focus on protecting large areas of contiguous agricultural land. The applications for curtilage extension have been a concern and also the point that was mentioned by Deputy Fallaize with regard to infilling, another concern. Particularly when you consider that some of the curtilage extensions are 7,000 metres square; that is quite extensive, which is mentioned on page 133.

1220 There are needs to have strict policies of protection of agricultural land in Guernsey and an emphasis of development on brownfield sites, as has been said by others during this debate. There is concern currently over the loss of agricultural land to development, despite the comment at the end of page 135 that there is no evidence to suggest the IDP policies have resulted in unacceptable loss of agricultural land. We definitely need a policy to protect agricultural land from development and also to encourage development on brownfield sites.

1225 I wanted also to make the point very clearly of why really we got into this particular area of concern. It is part and parcel due to the redistribution of population, which has left the Island with a legacy of urban blight and rural sprawl. Centrifugal growth into areas outside the Town has placed substantial demand on the public and private sectors to provide infrastructure and services in areas of new growth, while trying to meet the demands of renewal in Town. The Town has become, really, as some people have noted, less of a people place, less of a shopping place, and has suffered a decline in interest value negative to the tourist and Islander alike. I think these are real concerns.

1230 The countryside has been transformed, if you like, into a suburban environment, with many land use conflicts emerging as new developments take hold against the more traditional ways of life. It will be, really, for the future to tell whether recent policy initiatives, which are taken in this particular plan, can reverse the trend of dispersal and regenerate the Town and reduce the development pressure on the rural countryside and repair the damage done to both the urban and regional environments on this Island as a result of perhaps past incorrect policy or no policy.

1240 I will just take the Town and its population base in a few minutes, because I would like to just comment lastly on the points of others with respect to the number of applications for development in the north of the Island. I support their concerns of over-development in the north on agricultural land. We have to concentrate, as I said earlier and as others have said, on brownfield sites instead.

1245 But in that there is a correlation between the rising population numbers and development. The figures on population growth in the last 20 years provide interesting revelations. Fifty-two percent

of our population was located in Town in 1800. In 1911, it was 43%; in 1951, 38%; in 1991, 28%. We have moved in the last 20 years from 27% of our population in Town to just about 30% today.

That is a quite fundamental shift in 20 years. In relation to some of the other parishes, it means that St Peter Port is up 15% between 1996 and the current time. St Saviour's is up 11% in terms of development. The Forest is up 10%. So the west has been, actually, taking quite a large population growth hit. St Martin's, 7%; St Sampson's, 4%; and the Vale zero. In fact the proportion of our population now living in the Vale is down from 15% to 14%. St Sampson's is about constant. St Peter Port is up, as I say, from 27% to 30%.

This is the direction that I believe we should be going in and therefore I support the current policies with regard to the IDP in terms of its overall spatial policy. We have got to rectify what we have been doing to ourselves in the past, which is dispersing our population all over the Island, rather than concentrating and being competitive as a community with neighbouring and outside centres.

I commend this Report and I commend the major thrust and draw your attention to the major thrust, which is spatial policy and the fact that we have, in the past, perhaps been going in the wrong direction rather than focussing on Town, and not spending so much of the commitment of resources in developing outside of the main centre; thereby weakening this Island as a jurisdiction in terms of its competitive advantage with communities outside.

Thank you, sir.

The Bailiff: Deputy Brehaut.

Deputy Brehaut: Thank you very much, sir.

The Town we are sat in has evolved over a period of time: streets, lanes, back streets, churches, parks and gardens, merchants' houses, terraced houses. It has evolved. It has happened. Some of it has been intentional and has been a catastrophe; some has been unintentional and been a great success.

We cannot compare a natural settlement from a port, or we can contrast the development between the settlement in a port and what has happened in ribbon development areas. Forest Road is probably the best example where essentially there are bungalows either side of the road, set 30 ft back, probably, to avoid a *[inaudible]* in their day. We cannot expect to then try and define that type of development as a centre or a settlement. It is a very difficult thing to do.

When you drive along the road, when does St Martin's become the Forest. If you go down another road or lane, where exactly does St Martin's become St Andrew's? Jersey still have that definition, we do not have that any more. We have lost that because of the ribbon development. I hope the tensions that play out in that, and will always play out, do not mean that we have yet another inquiry on planning. I know there is resistance in this Assembly anyway to extend the consultants, but I would rather not see another £1 million spent on defining, by probably people from outside the Island, what is quintessentially Guernsey. That would be perhaps some irony.

I did not intend to speak, because I probably do not need to. I know a number of you probably feel like that anyway, but it was the speech from Deputy Sarah Hansmann Rouxel that really did spell out so well the Strategic Land Use Plan, its relationship to the IDP and, importantly, this idea of what exactly is infrastructure.

The Infrastructure Plan that has been referred to by a number of people was defining such things as both Deputy Meerveld and Deputy Hansmann Rouxel spoke to, which was ports, airports, sewage treatment, stone, waste treatment. That type of infrastructure rather than saying, 'We will give you the roadways. We will build/facilitate development in certain areas by providing things for you.'

The tension in that, when I have appeals from members of the community, I know the DPA do and I have been of course a Member of Environment in the past, when the community say, 'What are you going to do. We walk our children to school. We are backed into corners. We have to

stand into gateways. What are you going to do?' I then say, 'I am going to give you, hopefully over time, a transport strategy that helps that dynamic.'

1300 Other people are saying something very different. They are saying, 'I will improve and enhance your road infrastructure. I will give you wider roads. I will make the junctions wider. I will make the roads wider, to enable you to have free movement around Guernsey.' I was quite struck by what one Deputy said at a planning meeting recently, that we need to view the Vale and St Sampson's as a dormitory town supplying the workers into St Peter Port and those people should get from the Vale and St Sampson's into St Peter Port unhindered. The idea that we have, possibly, a dual carriageway along the front to facilitate such unhindered movement of cars. Deputy Inder playfully says, 'Pour!'

1305 We have to have regard for the cumulative effect and when I use the word 'cumulative', I mean let us look at it in the round and let us aim for less rather than let us not look at the impact and decide that we need to do more to facilitate that type of growth.

1310 One thing that has not been mentioned – I was late into the Assembly this morning, I do not know if it was in any of the earlier speeches – we do not talk about the developers very much in all this. It interests me that some developers put in completely unrealistic proposals. They look at the sites and say they can deliver 60 or 80, however many, homes. Then this whole thing plays out through the pages of the *Press* and open planning meetings, when actually it may get whittled down.

1315 I think developers sometimes, while they may, for good reason, want to maximise their investment in land, they have an obligation to the community too and they should not raise expectation sometimes to the level that they do and it plays out then that the DPA are not facilitating homes for people.

1320 On that note, I believe that people born in whatever parish they are born into, be it the Vale, be it St Sampson's, whatever else, and are familiar with that parish, it is not unreasonable for them to think that, at one time during their life, they may settle in that parish and acquire a home. If acquiring that home means that a corner of a greenfield is used to give access to a development that is otherwise on a brownfield site, I do not think that is so unreasonable.

1325 Housing has not played out in manifestos for some time. It did in the last election, actually, because of the loan deposit scheme. But when housing is at the top of the political agenda and the community are clamouring for somewhere to live, that is when the tensions within planning play out in a very real way.

1330 I have said before, a real test of your mettle as a Deputy is to be sat in an open planning meeting and refusing or approving an application. Because the tensions are real; they are in the room. People leave in tears, people are very distressed, and people also say things that may not particularly be pleasant.

1335 One of the reasons I was not going to speak was the constant overlap and confusion, sometimes deliberate I have to say, of the role of the DPA and role of the Committee *for the* Environment & Infrastructure. Time and time again, particularly in the *Press*, there are quite lengthy articles on the failings of E&I in not providing aspects that actually sit, clearly, under the DPA.

1340 Now we own the Strategic Land Use Plan. That informs the IDP. From thereon in, the obligations sit with the DPA. Even in an article very recently by a prominent Douzenier in the parish, again there was this confusion over respective roles and I hope that can be clarified. As Deputy Fallaize has just pointed out, through you, sir, we may as well be called the IDC, even 'the not so beauties commission'.

1345 Thank you, sir.

The Deputy Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

I was quite amused by Deputy Hansmann Rouxel when she mentioned the use of the word 'sustainable' 70-odd times. It is one of the words I really dislike in reports because it means different things to different people, depending on context. There is another word which I hate even more and that is the word to 'ensure'. It is often used completely incorrectly because you cannot ensure anything unless you have total control over what it is that you are ensuring.

I looked at the policy again and how far did I have to go to find the word 'ensure'? Seven lines on the initial narrative. It is an interesting comment. It goes like this:

Monitoring of progress in implementing the IDP is essential to ensure the Plan is achieving what we set out to deliver for Guernsey and that it is up-to-date and responsive to change.

Well what it has ensured in this debate is there are a number of people who have suggested it is not delivering for Guernsey in certain areas, like the harbour area and possibly starting developments on certain sections of the harbour. What really interests me is this 'responsive to change'. Judging by what has been said, there is really no change possible or no substantial change possible without a planning inquiry. So my question to Deputy Gollop, on behalf of the DPA, is what changes do you have the capability to actually implement without some sort of massive disruption or delay?

Also, it has already been mentioned by Deputy Lester Queripel – he would like to see some changes. I would like to know what they are. What changes do you feel, after a year, would you like to see happen and can we all assist in delivering them? That is simply it.

Thank you, sir.

The Deputy Bailiff: Deputy Oliver.

Deputy Oliver: Thank you, sir.

Deputy Merrett yesterday expressed concerns, as have some other Deputies today, about building on greenfield land ahead of brownfield land, so I would like to offer some clarification about this particular issue, as far as the MIR findings and the IDP policies are concerned.

I am sure that Deputy Merrett and Deputy Inder are particularly concerned about the main centres of St Sampson's and Vale. This is something we need to consider on an Island-wide basis. Firstly, it is important to be clear about what the consideration to be a greenfield land is. As far as the MIR is concerned, this takes the legal definition of a greenfield land which is set out in the Planning Law. However, this includes redundant and derelict vinery sites, so it is important that Deputies realise that when the MIR talk about the greenfield land, it includes land that many members of the public would consider derelict or an eyesore. It is not all open greenfields.

On an Island-wide basis, the policies of the IDP restrict housing development outside of the centres and has generally therefore been very successful at guarding against greenfield development. So when concerns are raised about greenfield and brownfield development, it is land within the centres that is being referred to.

In terms of allocated housing sites in St Sampson's and the Vale, main centres, the DPA had an instruction from the States, through SLUP, to consider former strategic housing land reserves for housing. These were all redundant vinery sites, which are considered greenfield sites. Notwithstanding this, there is simply currently no evidence to support the contention that greenfield land, including redundant vinery sites, is being built on for housing, rather than brownfield land.

Planning permissions granted in the last five years in main centres for residential development shows that the vast majority are brownfield land. What about those residential units actually built? Of all the planning permissions for the housing developments in the main centres in the last five years, and actually built, 100% are brownfield land. In terms of potential for future developments in St Sampson's and the Vale, main centre, I focus on this because this is where most of the concerns are coming from at the moment. All of the approved development frameworks and

those being worked on, as of September this year, are either on brownfield land or a combination of brownfield and redundant vineries land, with just two exceptions.

Although there is no current evidence through the monitoring to date that greenfields are being developed and not brownfield land, the DPA have always emphasised that policies in the Plan can be changed and if there is evidence to support this we welcome that. So this Plan does remain relevant. However, if the States has changed its mind about the approach to the development, the main centres consideration, this would need all alternatives and the impact of all those options, the Authority would need adequate resources to do this work.

The outcome of the work may well decide, for example, that the land planning system is not necessarily the desired way to encourage brownfield development. This may better be encouraged through subsidy, for example, or perhaps taxation. But this does need to be looked at in greater detail.

Thank you.

The Deputy Bailiff: Deputy Dorey.

Deputy Dorey: Thank you, Mr Deputy Bailiff.

I am, like Deputy Inder is, sympathetic to his remarks about protection of greenfields. I equally have the concerns that others have said about the amount of curtilage extension there has been. But there has to be some flexibility and that is what an Island Development Plan is all about. We have to quarry. We have to have an airport, which unfortunately sometimes has to be extended. We have to have cemeteries, which take greenfields. So we cannot protect all greenfields, we have to have policies which allow some flexibility. That is the whole principle behind the Island Development Plan, having policies which allow some flexibility.

Agriculture ideally needs large blocks of land. That is what makes it most economic to do agriculture. But the trouble is that in Guernsey we do not have control of land use. Jersey, they do have control of how you use greenfield land. You could have a block of land and it is used all for horses, for example, or half of it is. Then that is not beneficial to agriculture.

So when we talk about greenfields, what is a greenfield? A garden is a greenfield, you could say. Some could say there is more actual variety of plants in a garden than you ever get in an agricultural field. But horses could be the use of a greenfield. So I think what we need to think about is beyond just a greenfield, it is actually the use of it, if they are agricultural.

I declare that my son is a farmer.

Other people spoke about planning inquiries. Not that long ago we had criticism about the availability of industrial sites and Fred in the Shed and there was a States' Resolution which led to a planning inquiry for small industrial sites. So we can react to problems in different areas and we have done in the past.

I will defend the Planning Appeals Panel. The whole point of it was to make it cheaper and more accessible, but the fact you had knowledgeable experts, there was a particular amendment from Deputy Trott, which was to ensure that there was local knowledge within that. I think we have successfully created that and I think it is important that we do have an appeals panel with knowledgeable experts.

I have always been concerned about glasshouse sites. I go back to the Strategic Land Use Plan, where it said the Development Plan, 'will identify redundant glasshouse sites that, if cleared, are capable of making a positive contribution to open space, agricultural land provision in the Island and will induce policies that facilitate their removal'.

I think that is one area, an area of land use, where most of us would say is not good use of land, having redundant glasshouse sites and we failed to do that in the Island Development Plan. On page 150 there is one indicator, where it says change in the number of redundant glasshouse sites within and adjacent to agricultural priority areas. It says:

Target met? One change of use from agricultural in 2017.

So I do not think we have achieved that within the Strategic Land Use Plan and I think it is an area where I would encourage the Development & Planning Authority, perhaps working with E&I, that we need to do something about. It does not enhance the Island as a tourist destination, it does not enhance an Island with limited land resources to have that land left redundant and many would say are eyesores.

Deputy Ferbrache talked about getting rid of the Strategic Land Use Plan. I am going to defend it. I was a Member of the Policy Council that was allocated to the strategic land planning team. We worked on bringing the Strategic Land Use Plan, although it was a Policy Council proposal and had all the names of the Policy Council on it. I worked on the strategic land use planning group that drew it up.

Guernsey Tomorrow was such an extensive piece of consultation to ensure that we reflected the views of the Islanders. We also spent a considerable amount of time talking to industries, all different, from arts all the way through to agriculture, horticulture, not just States' Committees, but people working in those industries, to understand the needs of the Island and come up with some high-level policies.

I think it is really important that we have high-level policies because the criticism has always been in the past, with development plans, they were produced in a vacuum of policies. There needed to be some direction in terms of policies so that it was produced within that context and I think we have created that.

If anything, the criticism has been the time in between the Strategic Land Use Plan and the actual Island Development Plan. One of them came in 2011, the other in 2016. There were two Assemblies between that. If we had approached it again I would say that we need to shorten that time period and adequately resource both the Strategic Land Use Plan and the Island Development Plan, so it is done in a shorter period of time.

Comments have been made about housing development and I completely agree with Deputy de Lisle's comments about the problems in the past of dispersion across the Island. If you go back to the land use consultants, which I think have been mentioned before, I think their words from the report that was produced by A&F on land use policies in 1987 sums it up. They are talking about how development should be within the corridor of land defined by St Sampson's in the north and Town in the south, to sharpen the contrast between Town and what is left of the country by the continued suburbanisation of the Island's countryside.

That, I think, is the basis of where we are today and I defend that as being the right policies. The Strategic Land Use Plan then reflected that by saying the majority of housing development will take in and around St Peter Port and St Sampson's Vale, where the sites will have or be capable of being provided with good public transport links and good links to walking and cycling networks, which will encourage a reduction in car use.

That, in the Strategic Land Use Plan, is a reflection of what was in the land use consultants' report. If I am going to be critical of the Island Development Plan I would say we have not really concentrated our development on the centre of those areas. I think a lot of the problems have been, within particularly the St Sampson's Vale main centre, that we have had applications to build on the outside of them and I will mention Leale's Yard, because that is where we should be concentrating development. We should develop from the centre out, which I think would fulfil the good links to walking and cycling, which should encourage a reduction in car use because all the facilities are close.

So I would encourage the Island Development Plan to take that policy from the Strategic Land Use Plan and apply it to applications, because I think they should be prioritising development in the centre and particularly St Sampson's Vale. We have a great ability to encourage people to walk, by making it easy by being a flat area of land in that particular part of the Island.

Those are my comments, thank you.

The Deputy Bailiff: Deputy Trott.

Deputy Trott: Sir, I shall be brief.

1500 Deputy Kuttelwascher has a couple of words he is not particularly fond of. I have a word I am not fond of, either, it is called Arsenal! But it would be totally irrelevant to use this speech to talk about the Arsenal's goal-to-game ratio. It would be equally inappropriate to talk about books I read in my early twenties, or for that matter the inadequacies of any sanitary arrangements I may have had in my teens. Instead I shall focus in on the IDP Report, as my good friend Deputy
1505 Ferbrache encouraged me to do so earlier on in this debate.

No Member of this Assembly or indeed the previous Assembly spent more time in front of the planning inspectors during the Island Development Plan consultation process than I. I did so because I recognised then that some of my constituents in St Sampson's had some very genuine concerns about housing density.

1510 At no time during the process have I been inconsistent with my view. There is a housing target area in St Sampson's that I shall not refer to specifically, but members of that community are concerned about density and that is completely understood. I made those points to the planning inspector and, indeed, at the time of the debate on the IDP, I moved a successful amendment, in conjunction with Deputy St Pier, which reinforced the credentials of that area in terms of
1515 a conservation zone. Both of those actions were consistent with our view that the density of the development needed to be very carefully considered.

I move on to ask a couple of questions and to make a couple of comments. I will start with a question for Deputy Gollop. The SLUP identifies a minimum five-year land supply for housing. The question is should that process/review be undertaken every three years, in order to better
1520 recognise and react to changing circumstances, rather than currently, which equates to twice a decade?

I ask that question specifically because of this fact: the number of people living alone in their properties has risen substantially over the last few years. Thousands of houses and apartments now only have one resident. Many of those occupants are elderly and my guess is there will be a
1525 material reversal of that development over the next few years as residents move to other accommodation, sheltered housing or whatever the case may be. Or, in some cases, to a better place.

Close integration between those demographic drivers and housing supply will become increasingly important and my question is whether the DPA feel that they have enough visibility
1530 on that data and whether that data indeed should inform housing quotas more dynamically than it currently does.

I now move to redundant glasshouse sites. The DPA wants feedback. We were deprived of the opportunity of dealing with this a few weeks ago, so I shall deal with the matter now. The Report advises us that there are 80-plus hectares of redundant glasshouse sites and 20 hectares are
1535 assessed as being in poor condition. The DPA has, I believe, within its arsenal, the opportunity to give out remediation notices, or something of that nature.

That may not be the precise language, but there is this opportunity to issue enforcement notices, compelling those glasshouse site owners to make these sites more friendly than they are; including friendly on the eye. So I would be interested to hear whether the DPA hold a view on
1540 that and whether they would wish to share it with this Assembly.

The second thing is around school development. I often sit here, somewhat bemused, when I hear people talk about we must never build on greenfield sites. Usually people are slightly more guarded with their language. Of course the two new schools are almost certain to require building on greenfield sites. We will consider that to be of strategic importance. Occasionally it could
1545 happen elsewhere where it is strategically important to build on a greenfield site and we could all give examples of where that may be.

My final point concerns the construction industry. Those of us that have been in this Assembly for a while will recall that we got ourselves into a right pickle, a few years ago, where the amount of public sector construction activity that was being undertaken peaked alongside the private
1550 sector and it caused horrendous inflation difficulties for us.

As a result we produced a report and a model, the intention of which was to ensure that the construction industry never oscillated through feast and famine to the extent that it had done during that period. My fear is this: the absence of cranes over this Island means that we are about to move into an extremely busy period for the construction industry.

The development of two extensions to school simultaneously and of course a number of sites which are closer to development, I believe, than we may think, could result in a very significant inflationary environment. Exactly what we sought to avoid 10 years ago and I give notice now that will have material consequences, particularly for the public purse.

The Deputy Bailiff: Deputy Tindall.

Deputy Tindall: Thank you, sir.

I wish to thank my colleagues for the excellent debate, yesterday and today. I had hoped this Appendix Report would provoke this response but it has surpassed my expectations. I, like Deputy Inder, wish to acknowledge the professionalism of the Planning team and the incredible support they have given to us, the DPA, since May 2016. However, I do not agree that the DPA have ever said that the IDP is perfect or that it does not need change. Far from it.

If the Island Development Plan was perfect, we would not need to monitor it. No document is ever perfect. No policy is ever perfect and certainly no one believed, even the authors, that there would not need to be changes. I strongly refute that we have ever said that there should be no discussion until the planning inquiry. What are Members doing today but discussing? We have invited Deputies and Douzeniers to meet us, held open sessions for the public, so we wish to hear what people have to say.

So I say extremely loudly, to ensure it is heard, this debate is intended to show the DPA is very much listening to those in the community and here in this Chamber who feel that the planning regime is not the regime that they would have for Guernsey. Whilst the DPA are working within the framework that the States in November 2016 unanimously voted for, including Deputy Inder, all of us are more than willing to discuss any changes and how they may be implemented and to assist and explain the means to do so.

No one on the DPA has closed their ears to change, only that the effects, including the costs are understood before any amendments are considered. The reason the AMR is produced is primarily to see how the IDP is working and not to make recommendations for change. However, debate on the AMR is very much a way of hearing others' views and to take on board the excellent and considered suggestions made in particular by Deputy Stephens and Deputy Merrett. Although, as Deputy Roffey indicated, they may not be practical. But these are steered to the DPA. We have also received some thoughts from all the Alderney Representatives, which compare their land use plan and ours and, together with compliments, make some good recommendations.

Deputy Parkinson raised a serious concern about proceeding with the harbour action area. This is certainly a matter of resources and I am very grateful for the discussion he has had with Deputy St Pier and a nod toward more resources. Resources, of course, sometimes are the panacea, but this is only when there is an ability to provide the skilled individuals.

We do have recruitment issues, although also we have a policy to grow our own plans. As Deputy Hansmann Rouxel said, the layers are there to protect Islanders' rights in the policy framework. But resource also enables faster work. Development frameworks are there to ensure the planning applications are directed in the agreed way. They do not dictate what the application should be but they do ensure that the approved applications are in line with the frameworks that have been out to consultation.

Which leads me to community plans. Both Deputy Merrett and Deputy Hansmann Rouxel mentioned these, albeit Deputy Hansmann Rouxel indirectly. These are opportunities for the community to be involved in the planning process for their area. It is disappointing we have not had any such plans but leading the way would need Development & Planning to have more resources.

Our planners can help but it needs the community to get together and come up with the ideas. I for one am discussing with St Peter Port Douzaine to come up with something for the regeneration area around The Bordage in Mill Street/Mansell Street. Deputy Soulsby has also raised some useful points for Economic Development for local centres, which I will ensure are investigated in the DPA at least.

However, the questions of the infrastructure raised by Deputy Hansmann Rouxel and Deputy Meerveld are interesting because I think the Island Infrastructure Plan would be beneficial, unlike what Deputy Ferbrache thinks; unlike the harbour action area – resources are also needed for that, though. This is one for E&I but I will support such resources being provided and hope that they too can have the same conversation and outcome that Deputy Parkinson had with Deputy St Pier.

Many have mentioned the treatment of greenfield and brownfield sites, agricultural priority areas and important open land and my colleague, Deputy Oliver, has dealt with many points on this, so I will not repeat this, only to say it will be further discussed, as with all these other points raised. I wish to cover the point about the so-called impenetrable legislation. I should point out that the UK Planning Act on which our system is based to some extent, has 234 pages, whereas ours is 156 pages and, just out of interest, I did look up the length of the Preservation of Natural Beauty and Control of Agricultural Land Law 1959, which is 20 pages.

I will not go further into comparison but I will refer to a UK Government document, which is entitled 'Laws Become Too Complicated', and was produced in March 2013.

In the case of regulatory legislation, the users perceive complying with legislation to be onerous and the law as being extremely difficult to navigate, in particular in the areas of planning and environmental applications, procedural bureaucracy is perceived to be a problem for businesses. For example, SMEs claim that having the flexibility to decide the sequencing of their planning applications would considerably facilitate compliance.

This is why, as part of the red tape challenge, Government is focussing on the smarter implementation of regulations. I am not sitting on the subcommittee looking into the review of the red tape but I know they are looking into those various points and I hope that the outcome will very much assist the Development & Planning Authority in its work, as with that work for the Committee for Economic Development.

Deputy Kuttelwascher asked what the Development & Planning Authority wants to change. One Member, Deputy Lester Queripel, wrote a long letter to *The Guernsey Press* with his thoughts. However, he had to recuse himself from an OPM as a result. So for me it is best to listen today to the voice of others rather than giving out our personal views.

So to conclude. All of us, as I have said, voted for the IDP on 2nd November 2016. We have all been able to participate in this debate and to talk to the DPA and planning officers. For me, the purpose of this debate was not just to debate the AMR, it is a factual report, but to consider the planning framework. So for me this has been invaluable and I will be asking my colleagues on the DPA to review all suggestions and to respond, not just today, but to give serious consideration. As Deputy Fallaize says, a planning inquiry is more than likely required for these suggested changes, potentially in 2021, during the five-year review, or possibly a three-year review. We may take that on board too, although that would mean a change in the monitoring section of the IDP.

We may well need to have a planning inquiry for other matters that may crop up along the way. Conversations are being had by us already on what will be brought before such an inquiry in 2021 and these discussions need to start to be had in the wider community. Today's debate, as I say, I hope is that start of a more public conversation so we can take these suggestions forward. There is a way to change the IDP, this is it and we are willing to listen.

Thank you, sir.

The Deputy Bailiff: Deputy St Pier.

Deputy St Pier: Sir, I think one of the issues which has caused great anxiety in the community over the last couple of years has been the question of development frameworks. I think largely

1650 because there has been a lack of understanding in relation to them. They are clearly not planning consents but I think the media and other coverage would seem to suggest or imply that perhaps they are.

There is a perception that the many frameworks that have been progressed, particularly in the north of the Island, are about to lead to an unleashing of hundreds of new homes in many people's back yards. I think that is unfortunate so I would certainly encourage the Development & Planning Authority to give some thought to the communications around development frameworks in the future.

1660 I agree with Deputy Meerveld and others in relation to the infrastructure investment plan. I do not think it is necessarily a *panacea* but I think its absence is one of the issues which again perhaps needs filling. It would help us identify what other bits are missing in terms of identifying some of the concerns around infrastructure. Again that has been an issue which people have found easy to latch onto, the question of infrastructure in the absence of that plan. When that does come forward that will help.

1665 Turning back to development frameworks, I think the absence of any development frameworks for the four regeneration areas is a significant opportunity lost so far. I think the reality is of course the development frameworks in the north have been largely progressed and funded by the developers themselves whilst nothing has yet come forward for those in Town. I think the economic opportunity is obvious but also the opportunity to find fresh uses for what is, in essence, brownfield, to redevelop that area, is a huge opportunity lost.

1670 I think it is encouraging that actually the chance to perhaps use the Future Guernsey economic fund, as referred to by Deputy Parkinson, as a way to unlock resources, I think is most welcome and I look forward to that being progressed through and the report back on that in the next Annual Monitoring Report and obviously Policy & Resources will be pleased to lend its support to help co-ordinate that as required in conjunction with another in Economic Development but also the Development & Planning Authority.

1675 Thank you, sir.

The Deputy Bailiff: Nobody else is rising. Deputy Gollop, did you want H.M. Procureur to comment at all or has that moment passed?

1680 **Deputy Gollop:** To a degree the moment has passed.

The Deputy Bailiff: I think that is probably right. (*Laughter*) Are you reasonably confident that you can finish fairly swiftly in replying to the debate, bearing in mind the Proposition? (**Deputy Gollop:** I think so.) Members of the States, if you are minded to continue now, we can potentially conclude this meeting, because it is only the Schedule of Future States' Business. Those in favour; those against.

Members voted Pour.

The Deputy Bailiff: We will continue. Deputy Gollop, if you are ready to start your reply, please do.

1690 **Deputy Gollop:** I will firstly thank all the speakers. It has been a useful debate. Many of the speakers raised many questions and many points and I probably will not be able to give you an answer to each one of them, but I think some of the more significant points will go back to the Committee and we will consider.

1695 Mind you, I have got to say at this point, Members have been a bit lax with their procedures, because of course it is well within the gift of any Member, who always get a welcome from official channels, to ask informal questions, to ask written questions or ask oral questions in this Assembly. We have had one or two examples of that, most recently from Deputy Roffey, but many

of the questions we have had from different Members could have benefited from that. That would be perhaps a way forward.

Starting backwards, really, Deputy St Pier has raised the issue of development frameworks. It is a new name for what used to be effectively detailed development briefs, in some instances. I acknowledge that perhaps the Committee needs to sit down and work with the staff to prioritise areas, bearing in mind the views from many States' Members today.

But we do already consider a list of those pending and ones that are next to do. It has been resources-driven but if I am listening carefully enough it would appear that Deputies Trott, St Pier and Parkinson have implied the gateway might be additional financial or other resources, provided from a fund in order to assist us to expedite that progress.

I have to point out here that trained planning officers with the required professional skill levels, abilities, experience and also in some cases economic and environmental knowledge do not grow on trees, like Deputy Ferbrache's money trees and occasionally in the past we have seen attempts from the central parts of the States to take that resource. We do very much need emphasis on that resource to ensure that we can deliver in the way that the Assembly wants us to.

I very much understand, I think, where Deputy Dorey was coming from, in that I am aware his son has become a farmer. I saw the television feature on it. The latest time in 500 or 600 years that the Doreys are contributing to our farming landscape. He is of course right, as an experienced and long-serving Member of the States and in the Douzaine of Castel. Our policies have evolved to where they are based on the need to focus on conserving countryside and, to a degree, an agricultural sector that might not survive, strictly speaking, a free market.

Going back to what Deputy St Pier said about the development brief, he is right that perhaps sometimes the communication that we do is inaccurate, because a politician like me has delivered it. Sometimes the communication is quite legalistic, in that its language is very carefully chosen and used and then given to media outlets of one kind or another who possibly do not quote word for word or give it a particular sub-heading, which then causes a degree of confusion. That is an area to work on and it is certainly true that when a development brief is published, it in no way represents any form of development permission.

Deputy Trott's points are very much we need to focus on improving the process. Of course he was one of those Members who was responsible for creating, to a degree, the new planning appeals process, which in a way has been an improvement, because I would argue that in the days, despite the distinction of the very reputable and able Jurats in our Court, they did on occasion come to decisions which professional planning officers and politicians found hard to accept. That is one reason why we moved to an appeals system.

Deputy Oliver I think explained how the AMR informs the greenfields and brownfields being distinguished but of course the development briefs, by their own nature, do not differentiate and the nature of the Plan and our particular ability, we are very much responsive, we are reactive. We react to sites as they are given and that is really how it is.

If you want a personal view from me, I personally believe that the States is gradually evolving to a point whereby it will have to realise that the state has a more proactive role in shaping the development for the future, whether it be for enterprise agencies, private/public partnerships, strategic plans, land banks, working with housing associations, whatever. If the States wants the development market to achieve everything we would want in an ideal world and then do not give incentives, as Deputy Oliver mentioned, which might be tax breaks, it might be planning gains of one kind or another, then I think we lose a tool.

The glorious days of the 1960's, 1970's, 1980's and 1990's and early millennium when the building sector was robust, it was growing exponentially, the economy was growing, that era has changed. It led to some undesirable development as well as a lot of progress. What frustrates me in my role as a Planning President, we are not supposed to be encouraging development. Indeed it would be improper if we were, in some instances, because it would look as if we had a bias. But the States as a whole needs to grasp that nettle and run with it. Like Deputy Brehaut I can understand where we really are.

Another personal view of mine, sometimes I put a bit of sugar on my chips instead of salt and I do not like it, so I go back to salt. Sometimes you try things and they do not work and you come back to where you were. We have tried an experiment in this Assembly of separating political management of planning from Environment & Infrastructure, whereas for 12 years they were united.

I am not sure that is working particularly well, because it means you have got 10 politicians rather than five. It means you do have confusion across the community. It means the very valuable contribution of the senior officers, and I thank you for allowing the Director of Policy to sit next to me today, they work for more than one part of the States and you do get this, 'Oh it was not my fault ...'

Deputy Fallaize: Point of correction.

The Deputy Bailiff: Point of correction, Deputy Fallaize.

Deputy Fallaize: Sir, what has changed is that what was previously done by the Policy Council is now being done by Environment & Infrastructure and what was previously done by the Environment Department is being done by the Development & Planning Authority. So I do not think Deputy Gollop is describing accurately the changes which were made or the different reporting lines that the officers have always had to respect.

The Deputy Bailiff: Deputy Gollop to continue, please.

Deputy Gollop: That is to some extent true, but the Policy Council, within its membership, had a strategic land group that worked from across the States, whereas Environment & Infrastructure perhaps have a more focussed membership and are more interested in the environment. My point was not so much about that, it was about the fact that if you were lucky enough, as I was for two years, and others for longer perhaps – Deputy de Lisle, who spoke earlier, was a Minister of the Department, for example – as a Member of the Department you had a brief which included planning and the joys of the open planning meetings in later years, but also included the management of elements of the countryside, public transport, traffic-calming, transport strategy, open spaces and various other diverse elements of the environment.

Consequently, you were able to cross-fertilise, politically, the different elements of your mandate whilst, of course, working within the Planning Law. That is less easy now and, of course, we saw the very ambivalent situation, which I found politically awkward to manage, when Employment & Social Security and Environment & Infrastructure were involved jointly in the commissioning of the Housing Report that only came to the DPA very late in the day and yet it was such a crucial part of our evidence base.

Moving on from that, my own private theory as to why the media frequently and incorrectly identify Deputy Brehaut's Committee rather than mine is because sometimes there is a little bit of a narrative out there: what can we put about Deputy Brehaut today? I am the more cuddly figure! More often than not, it is actually myself who is responsible for the outrage rather than Deputy Brehaut.

Deputy Brehaut: Cuddly or otherwise, it would be nice if you did put yourself up for an interview occasionally, Deputy Gollop.

The Deputy Bailiff: Deputy Brehaut, you cannot address another Member directly.

Deputy Gollop: That is partly because they do not ask the right questions! *(Laughter)*

Moving on from that, Deputy Stephens, at the beginning of the debate, was very much wanting to see the best use of land. Of course I was a Member of a past Environment Committee

and we used to have discussions on that but it is very much dictated to by the outcome of the Island Development Plan. The best use of land in one interpretation, a Deputy has informed the Assembly, would be maximising developments, not just matchbox houses, not even tower blocks on *[inaudible]* that have been suggested.

I am sure there would be a lot of protest from sundry Douzeniers, neighbours and other campaigners. I think there is a difficult judgement call and we see this even within the context of the professionally prepared development briefs. The little briefs contain minimum and maximum densities for the suitability of the site. One feels that if the Planning Authority facilitates a low density that does not necessarily answer social housing needs, it implies expense and it also does not make the best use of land. But it could be seen more in conformity with the views of representors. So it is a difficult judgement call.

Really we have to, despite what Deputy Roffey says, make assumptions based upon everything that could theoretically be built within the lifetime of a plan. Indeed, many Members and Douzeniers want us to consider that, if you like, worst case scenario, depending on your point of view, in order to plan transport and other infrastructure. Although Deputy Roffey is almost certainly right that not all of these areas will be developed in quite that way and we have already seen some major schemes that will not happen now in quite the way envisaged, nevertheless it would be irresponsible to assume that developments *per se* would not happen.

We are satisfied really that the data that we consider in terms of traffic studies, environmental impacts and others, contain the development. As Deputy Hansmann Rouxel pointed out, if most of the criticism is about road noise and road use and transport use then the answer partially is adopting a more holistic attitude to travel planning and transport planning.

Again, a paradox is Route Militaire has been mentioned a few times in this debate. The bus route that directly served Route Militaire from Town, which was once a quarter-hourly service back in the 1960's, was withdrawn last year, except for a peak-hour journey. So that perhaps was not as holistic as it could have been.

I agree with Deputy Ferbrache that one of the best speeches was Deputy Parkinson's, even if I did not agree with it in some ways. He is right that we have evolved a very complicated system. Of course on the one hand we hear that Jersey controls its greenfields more than we do. I also know that their political management planning is even more complicated than ours, because it involves a Minister and panel that is separate and a panel that meets more frequently for open planning meetings than we do, with a multiplicity of applications. Nevertheless perhaps their history was different from ours. They have got a different political culture.

He asked an important question: if we want a simpler system then politically it is up to the States' Members to very much inform the Committee what they wish to see. I think part of me, I know I bore Members in some committees, Deputy Le Clerc and others might remember, I start to talk about the old days and what happened in the year dot but of course we do have a history here of the 1980's and 1990's, if only for at least two former Members of the Island Development Committee today. Part of me would like to go back to that halcyon era because there I could sit with eight other colleagues, we would go around on a bus, we could have a whole day, perhaps a meal in a local farmhouse in the middle of the day and we would look at all the sites and say, 'I like that field, I do not like that.'

The reality is Mr X might gain permission because he was an outstanding member of the community, he was making a good case; Miss Y less so. It would be quite random, it would be quite subjective. That era was not only a different era, when we had more unqualified architects and people working in the world than today, but I would acknowledge, especially before yourself, Mr Deputy President, it was an era that somewhat predated judicial review as we understand it now. I think there would be real difficulties in reintroducing that system piecemeal.

There would also be a challenge to our society about the slowness. Imagine how it would go even today, from iPads. The staff would have to print, like our Billet for December, 1,000 pages for every meeting almost. We would be sitting there three days a week. I believe the old Island Development Committee used to meet three days a week. Because we met so frequently, most of

1855 its members, I mean 57 of us in those days, were often retired or they had lots of time on their hands, which then created a bias in a funny sort of way.

1860 It would not work. We would not see eight-week or 12-week planning periods, we would see more like one-year planning periods. It would be very cumbersome. So I think we have to rule out going back. Another reason I would personally rule it out is, having listened to what Douzeniers and other representatives in parishes say, they do seem, generally speaking, to have a prejudice against development. They rarely campaign on behalf of their parish or town and say, 'We want to see this incredible regeneration. We want to have more population. We want to have more vitality.'

1865 They tend to represent residents who live in the area and so the more you brought in a parochial structure or old-style committee structure of nine members who looked at virtually everything, the more you would delay and the more you would turn things down. Deputy Merrett, of course, says we should not approve something because we might change our minds in a few years' time and I accept that. There is in that sense a presumption against unnecessary development. But it is a difficult question.

1870 I thank very much Deputy Queripel. I hope I never bully him or raise my voice. Occasionally he has asked me to take a firmer hand into the Committee, in managing things and also to stop interrupting people or having other people interrupting. But I think that is part and parcel of how robust we are in debating.

1875 I very much was interested in what Deputy Yerby had to say about the nature of property rights. I think there is a lot of truth in that and you have to remember that our system, really, is partially based upon the property rights of the individual and their rights to develop their property in a legal and appropriate way. One of the problems I have with agreeing too readily, although I am listening, as Deputy Tindall said, to bringing back elements of this earlier rather than the five-10 year window, is you are going against reasonable expectations.

1880 I could make another prediction that if the DPA brought back any time soon a proposal to explore, say, greenfield development in the main centres and the outer main centres, I think you would see, we would obviously go through a planning inquiry in a focussed, evidence-based approach, but you would see a rapid number of developments being applied for. Maybe that would give the building industry a kick start. The reality is you cannot change people's lawful and reasonable expectation just like that.

1885 Maybe we could have had a more robust debate three years ago, or two years ago, when you presided, sir, in which more sites were looked at, at that time, but I think it is wrong to go back at that point and that is why Deputy Yerby's point about an early generic review, I do not think that is achievable with the best will in the world, because even if we started on 1st January, 2nd January, it would take over a year, two years. It would require substantial resource and you cannot second guess what a professional planning inspector or representors would make.

1890 I think there are one of two micro-areas that I would wish to take back from this debate. I agree with a lot of the points Deputy Ferbrache made, although I do see a valid role for the Infrastructure Plan. The point Deputy Meerveld and Deputy Hansmann Rouxel and Deputy Brehaut made, if we have this as a necessary goal and it probably would help the seafront enhancement, harbours, waste and many areas, we should get on with it. Actually, again, the Planning Authority has been let down a bit in not, perhaps, Policy & Resources actioning that at more of a level. We have the disadvantage in a way of not being a Principal Committee, therefore very much our needs need to be considered.

1900 I think I have covered the five-year review. I think Deputy Tindall has pointed out 2021 would be a goal. There may be certain areas that we can look at in the next few weeks that we could consider moving further on. Deputy Kuttelwascher was asking what can we do. I think where we have ended up, with the quasi-political system we have at the moment, Deputy Fallaize particularly identified, is a curious one. I am not sure it is sustainable.

1905 That is why I have been wanting to lead the Committee in a slightly different direction and sometimes feel that maybe somebody else could lead it more robustly. I think the situation we

have come to is a historical accident and there are anomalies whereby perhaps we have a different role in policy shaping from the open planning meeting and then we have delegation and so on. I think it was a clever attempt to bring more certainty, more professionalism to the sector; more legitimacy maybe and less subjectivity.

But I think the view of this Assembly and generally the public, which is not necessarily the view of the professionals, whether in the private or public sector, is they seem to want the politicians to have more of a role in shaping this than the current system's structures. Why that is, I am not sure, because politicians do not know much about planning, with a few exceptions. But then you could argue what does John Gollop know about taxation or health policy or anything else? If you take that to its logical conclusion we would not have politicians at all, except in one or two areas. I think we very much need to take that message away today.

In my time we have certainly seen a lot of reform with the open planning meeting structure. We do as a rule now make a habit of site visits, because Deputy Oliver, Deputy Tindall and other Members believe that it is professionally useful to see sites and not do it just on a computer or paper, copybook, desktop exercise. I kind of disagree with Deputy Graham. It is not stupid to visit sites. We might not want to spend the whole day doing it; we have given up the minibus, we go in the car instead.

Deputy Graham: I only rise because I fear the irony of my remark earlier on may have been lost!

Deputy Gollop: Yes, it is true. I think I said at the time, everything of this is about the mixture of management, delegated powers, judgement. I personally have not thought it wise to hold open planning meetings when the decision is so obvious which way it would go under a credible reading of the Island Development Plan, but occasionally one has come across situations where such a meeting would have been beneficial to have not only heard the views of the public but perhaps to explore some mediating factor.

What we cannot do in this structure is just have whimsical political decisions. Even if we were allowed to do that against advice, they would be overturned on appeal. I thank Deputy Hansmann Rouxel for her interesting speech. I certainly think, in terms of systems – and wondered if we were going back to the organ debate from the thinking of the human body in many ways – we very much do focus on sustainability. I know Deputy Kuttelwascher did not like the phrase 'sustainability', but it is an in-word and it very much focuses on ecological and green concerns. As some of the Members know, especially on the upper bench, perhaps I do not always have a very sustainable lifestyle and I think what we need to do is to build greater sustainability into this.

Sustainability is not just about the environment. Also it is about the development sector. We have not heard much about the developers today and I think that is interesting. I felt a bit like an Aunt Sally in the last year, with States' Members from across the spectrum very much opposed to the disappearance of their favourite greenfield or patch of land.

Two years ago, I was hearing a different message during the big IDP debate. The message at that time was that the previous Assembly and the previous Plan was developer-unfriendly. It was slow, it was inflexible, it did not allow things to happen. It was killing the building industry, weakening the professional sector,

Actually now we are in the opposite. In some cases there is too much emphasis on development and yet, unless the state has a more proactive role in shaping that development, perhaps through tax or other incentives, we cannot control it; we cannot ensure delivery. So I take on board that point.

I think I have been through most of the points now. I agree with Deputy Ferbrache, too, that Deputy Fallaize made an excellent speech. He does not like political meddling. The problem is some people, like me, come into the States with the intention of micro-managing, meddling, interfering and I think, to be honest the public, rightly or wrongly, still expect their Deputies to act

as a sort of unpaid and under-qualified advocates to take up any concern that amuses or entertains them, regardless of whether it is truly a political question.

1960 I agree with Deputy Meerveld's points and I think we will have further dialogue. I will come back to Deputy Merrett in a little bit because she made a particular set of points. We will be listening to evidence, we will consider it carefully. I also thank Mr Dean, from Alderney, who could not attend in person, but sent us a very useful set of notes. He is a Vice-President of the Alderney Building & Development Committee that we do on occasions assist. He has given us some
1965 interesting colour codes, which we already use on Employment & Social Security in order to enhance projects. I will have a look at that in turn.

I think I have covered most of the points except for Deputy Merrett's epic speech, which was extremely useful to us because Deputy Merrett was very much a catalyst for creating this debate, although we were keen to have it ourselves. Of course as a representative of the northern
1970 parishes, she has been particularly purposeful in bringing issues to our attention.

As regards to development frameworks I think I have already covered that to some extent, but the commercial development frameworks we will take back and see what we can do on crucial sites in St Peter Port and St Sampson's but we were resource-driven and as it is a development framework has popped up every month. I suppose with hindsight I think there are too many of
1975 them, for minor or one-property sites, which can muddy the waters a bit. But I do believe that if commercial entities want to see past the development, they are empowered, surely, to pay appropriate professionals themselves? Likewise, parishes surely have a role, if they wish, to develop community plans. I think perhaps I will take away the suggestion that we could have a public meeting on that.

1980 When a developer approaches with a non-housing site – we will look at each case on its merits, really, within the context of the overall report. Deputy Merrett noted that we were taking a proactive approach regarding Leale's Yard. Again, it is not necessarily for me or us to promote individual sites but in my personal view, which I think echoes a number of people across the Chamber, from Deputy Roffey to Deputy St Pier to Deputy Dorey, Leale's Yard represents an ideal
1985 site for economic development, urban regeneration, improving our mix of affordable or social housing to very much improve a main centre, which would have tourism and waterfront benefits as well.

Future supply will be reassessed. We have had six months to consider ... Again agents, if they are sitting on significant sites, it would be helpful for them to liaise more with us at both officer
1990 and political level on occasions to prioritise the development framework, but we cannot give any undertakings about permissions, of course, at that stage. The Annual Monitoring Report would benefit from community plans and indeed we will go back and consider how to kick start the community plan initiative, which might include a public meeting.

I was not a huge fan of the housing market reviews. I am not particularly supportive of reviews that are conducted by external consultants who are chartered accountancy firms, with young
1995 blades who are management consultants who come in with what amounts to a political agenda but do not have the downside of being politically elected or responsible. Then you get a lot of viewpoints, which is sometimes disguised and is hard to interpret. We at Social Security, wearing another hat, are taking the right approach to look at housing in a more structured, holistic way
2000 later in this term if we get resources. Again you need, possibly, more joined-up Government.

Listening to Deputy Soulsby, while I enjoyed meeting with her and her senior officers a few weeks ago, I think maybe we should have a joint meeting between the DPA and Health & Social Care to explore in broad terms the strategy of the partnership and the sites that may be needed, because much as I might personally support provision for health, we cannot tolerate sites that are
2005 inappropriate in terms of their ambience of their effect upon neighbourhoods, or the accessibility or perhaps the lack of transport or road network. So there has to be a balance between the health needs and the community needs and we need to perhaps see a political way forward on that as well.

I am a fan of the green spaces but I am not prepared to talk about individual sites, because we have to be open-minded about implementing the particular rigours of the Plan that we all collectively considered. I support the harbour action area and hope that can be integrated in the seafront enhancement project and, indeed, Deputy Oliver represents the Committee, in many ways, on that body and therefore the harbour action area will come at the next point.

I have to admit Deputy Soulsby, Deputy Merrett and a few other Members have a point about the retail policies. I find some of the retail policies we might need to reconsider within the context of the Plan and if we do not like that we might re-open the Plan. But it should be pointed out that it would help us enormously if we had more accurate data on the retail sector. If, for example, Economic Development came to prioritise their Retail Strategy, because we heard yesterday it has not happened yet, despite Deputy Merrett asking and working on it. I think Deputy Merrett worked on it vigorously two or three years ago.

We need perhaps more joined up resources. If there is a general thrust to this it is we have got to be listening more to what the majority of States' Members are telling us and interpret that in our work but, at the same time, Members need to give us much clearer influences; what kind of planning system they want, because I am sure they do not want to go back to the nine men in a bus, or eight men and a lady in a bus, and I am sure they do not want to see politicians disappear entirely.

They might want to see me disappear entirely but I do not think they want to see another statutory commission of non-elected, unaccountable people causing ripples in the community. I appreciate the professionalism of the tribunal members but I sometimes wonder if they take into account the political pressures Members have when they are making decisions.

So basically it is a question of what system do you want, who do you want to people it and will you give us the money and qualified staff to ensure that we can do everything quicker in a more timely manner? I ask you to support and note the Report and ask if there are any questions I have not answered.

Deputy Trott: Through you, sir, there were two.

The Deputy Bailiff: No, Deputy Trott, I think we have heard enough, thank you, because Deputy Gollop has not wanted to answer them in his reply at the moment. There is a single Proposition and that is to take note of the Report. Those in favour; those against?

Members voted Pour.

The Deputy Bailiff: I declare the Proposition duly carried.

POLICY & RESOURCES COMMITTEE

XVII. Schedule for Future States' Business approved

Article XVII.

The States are asked to decide:

Whether, after consideration of the Schedule for future States' business, which sets out items for consideration at the Meeting of the 12th December 2018 and subsequent States' Meetings, they are of opinion to approve the Schedule.

The Deputy Greffier: Article XVII, Schedule for Future States' Business.

The Deputy Bailiff: Deputy St Pier, is there anything you wish to add?

2045 **Deputy St Pier:** Yes, briefly, sir. As ever, I think the schedule is fairly self-explanatory. The length of the schedule is extensive. I think our prospects, at the pace we normally move at, of dispatching all of this agenda next month is pretty well zero. (*Laughter*) There is no provision for a rollover so anything that is not achieved would fall into January.

2050 There are some time-critical pieces of legislation. The Customs and Cross-Border Trade Law and the various pieces of Tax Law, which followed the Budget. There is a commercially time-critical decision to be made in relation to the aircraft acquisitions from the States' Trading Supervisory Board's proposals for Aurigny and a time-critical piece of policy from the Committee *for the* Environment & Infrastructure in relation to road transport and driving licences following Brexit and there is a substantial policy matter in relation to the reform of the Marriage Law as well. All of
2055 that will follow the first item of substantive business, which of course is the debate on the requête on drug funding.

The Deputy Bailiff: There are no amendments to the Schedule, therefore I simply ask you, Members of the States, whether you are minded to approve it? Those in favour; those against.

Members voted Pour.

2060 **The Deputy Bailiff:** I declare it duly carried. That concludes the business for this meeting of the States. Thank you very much, Members. We will now close the meeting, please.

The Assembly adjourned at 1.06 p.m.